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Contents

I *Acts whose publication is obligatory*

- ★ **Council Regulation (EEC) No 1454/90 of 28 May 1990 relating to the conclusion of the Protocol establishing, for the period 1 January 1990 to 31 December 1991, the fishing opportunities and the financial contribution provided for in the Agreement between the European Economic Community and the Government of the People's Republic of Mozambique on fisheries relations** 1
- Protocol establishing, for the period 1 January 1990 to 31 December 1991, the fishing opportunities and the financial contribution provided for in the Agreement between the European Economic Community and the Government of the People's Republic of Mozambique on fisheries relations** 2
- Commission Regulation (EEC) No 1455/90 of 31 May 1990 fixing the import levies on cereals and on wheat or rye flour, groats and meal 4
- Commission Regulation (EEC) No 1456/90 of 31 May 1990 fixing the premiums to be added to the import levies on cereals, flour and malt 6
- Commission Regulation (EEC) No 1457/90 of 31 May 1990 fixing the import levies on rice and broken rice 8
- Commission Regulation (EEC) No 1458/90 of 31 May 1990 fixing the premiums to be added to the import levies on rice and broken rice 10
- Commission Regulation (EEC) No 1459/90 of 31 May 1990 fixing the export refunds on products processed from cereals and rice 12
- Commission Regulation (EEC) No 1460/90 of 31 May 1990 fixing the export refunds on cereal-based compound feedingstuffs 15
- Commission Regulation (EEC) No 1461/90 of 31 May 1990 fixing the export refunds on rice and broken rice 23
- Commission Regulation (EEC) No 1462/90 of 31 May 1990 fixing the corrective amount applicable to the refund on rice and broken rice 27

Price : ECU 20,00

(Continued overleaf)

Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

The titles of all other Acts are printed in bold type and preceded by an asterisk.

Contents (continued)

Commission Regulation (EEC) No 1463/90 of 31 May 1990 fixing the export refunds on malt	30
Commission Regulation (EEC) No 1464/90 of 31 May 1990 fixing the corrective amount applicable to the refund on malt	32
Commission Regulation (EEC) No 1465/90 of 31 May 1990 fixing the corrective amount applicable to the refund on cereals	34
Commission Regulation (EEC) No 1466/90 of 31 May 1990 fixing the refunds applicable for June 1990 to cereal and rice sector products supplied as Community and national food aid	37
Commission Regulation (EEC) No 1467/90 of 31 May 1990 fixing the import levies on syrups and certain other products in the sugar sector	39
Commission Regulation (EEC) No 1468/90 of 31 May 1990 fixing the export refunds on syrups and certain other sugar products exported in the natural state	41
Commission Regulation (EEC) No 1469/90 of 31 May 1990 fixing the reduced levy on imports into Portugal of certain quantities of raw sugar intended for Portuguese refineries	44
Commission Regulation (EEC) No 1470/90 of 31 May 1990 fixing the minimum levies on the importation of olive oil and levies on the importation of other olive oil sector products	45
Commission Regulation (EEC) No 1471/90 of 31 May 1990 fixing the export refunds on olive oil	48
Commission Regulation (EEC) No 1472/90 of 31 May 1990 fixing the maximum export refunds on olive oil for the 13th partial invitation to tender under the standing invitation to tender issued by Regulation (EEC) No 3246/89	50
Commission Regulation (EEC) No 1473/90 of 31 May 1990 fixing for June 1990 the levy applicable in Spain to products subject to the price control system	52
Commission Regulation (EEC) No 1474/90 of 31 May 1990 fixing the export refunds on oil seeds	53
Commission Regulation (EEC) No 1475/90 of 31 May 1990 fixing the amount of the subsidy on oil seeds	56
Commission Regulation (EEC) No 1476/90 of 31 May 1990 fixing the amount of aid for peas, field beans and sweet lupins	62
Commission Regulation (EEC) No 1477/90 of 31 May 1990 fixing the rate of the aid for dried fodder	69
Commission Regulation (EEC) No 1478/90 of 31 May 1990 fixing the aid for soya beans	72
Commission Regulation (EEC) No 1479/90 of 31 May 1990 fixing the aid for cotton	75
Commission Regulation (EEC) No 1480/90 of 31 May 1990 fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex II to the Treaty	77
Commission Regulation (EEC) No 1481/90 of 31 May 1990 fixing the rates of the refunds applicable to certain cereal and rice products exported in the form of goods not covered by Annex II to the Treaty	80

(Continued on page 132)

Contents (continued)

Commission Regulation (EEC) No 1482/90 of 31 May 1990 fixing the rates of the refunds applicable to certain products from the sugar sector exported in the form of goods not covered by Annex II to the Treaty	83
Commission Regulation (EEC) No 1483/90 of 31 May 1990 fixing the export refunds on cereals and on wheat or rye flour, groats and meal	86
* Commission Regulation (EEC) No 1484/90 of 31 May 1990 adjusting the reference prices and the Community offer prices in the fruit and vegetable sector as a result of the monetary realignment of 5 January 1990	90
* Commission Regulation (EEC) No 1485/90 of 31 May 1990 establishing the basic and buying-in prices for tomatoes, aubergines apricots, table grapes and table pears reduced as a result of the monetary realignment of 5 January 1990	93
* Commission Regulation (EEC) No 1486/90 of 31 May 1990 fixing the minimum purchase price for lemons delivered for processing and the amount of the financial compensation after processing of such lemons for the 1990/91 marketing year	96
* Commission Regulation (EEC) No 1487/90 of 31 May 1990 fixing for the 1990/91 marketing year the Community offer prices for lemons applicable with regard to Spain	97
* Commission Regulation (EEC) No 1488/90 of 31 May 1990 fixing for the 1990/91 marketing year the reference prices for lemons	99
* Commission Regulation (EEC) No 1489/90 of 31 May 1990 amending Regulations (EEC) No 756/70, No 548/86 and No 3719/88 as regards proof of release for consumption of certain agricultural products in the Member States	101
* Commission Regulation (EEC) No 1490/90 of 31 May 1990 amending Regulation (EEC) No 685/69 on detailed rules of application for intervention on the market in butter and cream	105
* Commission Regulation (EEC) No 1491/90 of 31 May 1990 implementing promotional and publicity measures in respect of milk and milk products in Portugal	106
* Commission Regulation (EEC) No 1492/90 of 31 May 1990 reducing the basic price and buying-in price for peaches, nectarines and lemons for the 1990/91 marketing year following the monetary realignment of 5 January 1990 and the overrun of the intervention threshold	109
Commission Regulation (EEC) No 1493/90 of 31 May 1990 fixing the quantities of frozen beef intended for processing which may be imported on special conditions for the first and second quarters of 1990	112
* Commission Regulation (EEC) No 1494/90 of 31 May 1990 derogating for the first and second quarters of 1990 from Regulation (EEC) No 2377/80 in respect of the issue of import licences under certain special arrangements in the beef and veal sector and amending Regulation (EEC) No 3834/89	113
Commission Regulation (EEC) No 1495/90 of 31 May 1990 fixing the import levies on white sugar and raw sugar	114
Commission Regulation (EEC) No 1496/90 of 31 May 1990 altering the export refunds on white sugar and raw sugar exported in the natural state	116

Contents (continued)

- ★ **Commission Regulation (EEC) No 1497/90 of 31 May 1990 amending the prices and amounts fixed for cereals in ecus for the 1990/91 marketing year as a result of the monetary realignment of 5 January 1990 in accordance with the stabilizer mechanism** 118
 - ★ **Commission Regulation (EEC) No 1498/90 of 31 May 1990 on the additional co-responsibility levy on cereals for the 1990/91 marketing year and the overall amounts of the aid under the special arrangements applicable to small producers** 120
 - Commission Regulation (EEC) No 1499/90 of 31 May 1990 altering the import levies on products processed from cereals and rice 121
-

II *Acts whose publication is not obligatory*

Council

90/242/EEC :

- ★ **Council Decision of 21 May 1990 introducing a Community financial measure for the eradication of brucellosis in sheep and goats** 123

90/243/EEC :

- ★ **Council estimate of 21 May 1990 concerning young male bovine animals weighing 300 kilograms or less and intended for fattening for the period 1 January to 31 December 1990** 128

90/244/EEC :

- ★ **Council estimate of 21 May 1990 concerning beef and veal intended for the processing industry for the period 1 January to 31 December 1990** 129
-

Corrigenda

- ★ **Corrigendum to Commission Regulation (EEC) No 1263/90 of 14 May 1990 laying down detailed rules for the granting of private storage aid for long-keeping cheeses (OJ No L 124 of 15.5.1990)** 131

I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 1454/90

of 28 May 1990

relating to the conclusion of the Protocol establishing, for the period 1 January 1990 to 31 December 1991, the fishing opportunities and the financial contribution provided for in the Agreement between the European Economic Community and the Government of the People's Republic of Mozambique on fisheries relations

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament⁽¹⁾,

Whereas, in accordance with the Agreement between the European Economic Community and the Government of the People's Republic of Mozambique on fisheries relations, signed in Maputo on 30 September 1988, the contracting parties held negotiations with a view to determining the amendments to be made to the Protocol to the Agreement at the end of the period of application of the first Protocol;

Whereas, as a result of these negotiations, a new Protocol establishing, for the period 1 January 1990 to 31 December 1991, the fishing opportunities and the financial contribution provided for by the said Agreement, was initialled on 13 September 1989;

Whereas it is in the Community's interest to approve this Protocol,

HAS ADOPTED THIS REGULATION:

Article 1

The Protocol establishing, for the period 1 January 1990 to 31 December 1991, the fishing opportunities and the financial contribution provided for in the Agreement between the European Economic Community and the Government of the People's Republic of Mozambique on fisheries relations is hereby approved on behalf of the Community.

The text of the Protocol is attached to this Regulation.

Article 2

The President of the Council is hereby authorized to designate the persons empowered to sign the Protocol in order to bind the Community.

Article 3

This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Communities*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 28 May 1990.

For the Council

The President

D. J. O'MALLEY

⁽¹⁾ Opinion delivered on 17 May 1990 (not yet published in the Official Journal).

PROTOCOL

establishing, for the period 1 January 1990 to 31 December 1991, the fishing opportunities and the financial contribution provided for in the Agreement between the European Economic Community and the Government of the People's Republic of Mozambique on fisheries relations

THE CONTRACTING PARTIES,

Having regard to the Agreement between the European Economic Community and the Government of the People's Republic of Mozambique on fisheries relations, signed on 30 September 1988,

HAVE AGREED AS FOLLOWS:

Article 1

Pursuant to Article 2 of the Agreement, and for a period of two years beginning on 1 January 1990, the following fishing possibilities shall be accorded:

1. shrimp vessels fishing exclusively on deep-water crustaceans: 1 100 GRT per month on a yearly average;
2. shrimp vessels fishing on shallow-water and deep water crustaceans: 3 700 GRT per month on a yearly average.

The quantities of crustacea to be fished by Community vessels in 1990 may not exceed:

- 1 200 tonnes of deep-water shrimps
- 1 000 tonnes of shallow-water shrimps and
200 tonnes of deep-water crabs.

These quantitative limits will be reviewed, for the following year, by the Joint Committee referred to in Article 10 of the Agreement. Shrimp tails weight retained on board are converted into whole weight by applying the coefficient 1,67;

3. ocean-going tuna seiners: licences for 44 vessels.

Article 2

1. The financial compensation referred to in Article 8 of the Agreement for the period referred to in Article 1 of this Protocol, is fixed at ECU 4 300 000, payable in two annual instalments.

2. If, during the period of application of this Protocol, the amount of tuna caught by Community vessels in Mozambican waters exceeds 6 000 tonnes, the financial compensation will be increased by ECU 50 per tonne caught above this limit.

3. The use to which this compensation is put shall be the competence solely of Mozambique.

4. The compensation shall be paid into an account opened at a financial institution or any other body designated by Mozambique.

Article 3

In the event of an increase in the availability of fishing possibilities the GRT limits set out in Articles 1 (1) and 1 (2) may be increased at the request of the Community. In this case, the financial compensation referred to in Article 2 shall be increased proportionally *pro rata temporis*.

Article 4

1. The Community shall also contribute, during the period referred to in Article 1, ECU 1 950 000 towards the financing of Mozambican scientific and technical programmes (e.g. equipment and infrastructure) to improve information on the fishery resources within the waters of Mozambique.

At the request of Mozambique, part of this amount not exceeding ECU 60 000 may be used to finance the expenses of participation in international conferences, not necessarily related to the said scientific programme, destined to improve the knowledge of fisheries resources.

2. The competent Mozambican authorities shall send to the Commission a brief report on the utilization of the funds.

3. The Community's contribution to the scientific and technical programmes shall be paid into an account specified on each occasion by the Office of the Secretary of State for Fisheries.

Article 5

1. A reconnaissance campaign to find new resources shall be carried out by two Community trawlers together with research institutes in Mozambique and in the Member States of the Community.

2. The Community shall contribute ECU 600 000 over the duration of this Protocol to finance the campaign. This contribution may be used to cover shipowners' economic losses and the emoluments of Mozambican and Community scientists. Catches by the vessels concerned shall be the property of the shipowners.

3. The results of the campaign must be sent to the Mozambican authorities and the Commission delegation to Mozambique. In the light of these results, licences for the new resources may be granted to Community vessels to fish in Mozambique's waters under conditions to be defined at a meeting of the Joint Committee referred to by Article 10 of the Agreement.

Article 6

Should the Community fail to make the payments provided for in this Protocol, the Agreement on fishing may be suspended.

Article 7

The Protocol to the Agreement between the European Economic Community and the Government of the

People's Republic of Mozambique on fisheries relations is hereby repealed and replaced by this Protocol.

Article 8

This Protocol shall enter into force on the date of its signature.

It shall apply with effect from 1 January 1990.

COMMISSION REGULATION (EEC) No 1455/90

of 31 May 1990

fixing the import levies on cereals and on wheat or rye flour, groats and meal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 1340/90 ⁽²⁾, and in particular Article 13 (5) thereof,

Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy ⁽³⁾, as last amended by Regulation (EEC) No 1636/87 ⁽⁴⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Commission Regulation (EEC) No 754/90 ⁽⁵⁾ and subsequent amending Regulations;

Whereas, if the levy system is to operate normally, levies should be calculated on the following basis:

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Regulation (EEC) No 1676/85,

— for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded for a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient;

Whereas these exchange rates being those recorded on 30 May 1990;

Whereas the aforesaid corrective factor affects the entire calculation basis for the levies, including the equivalence coefficients;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 754/90 to today's offer prices and quotations known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products listed in Article 1 (a), (b) and (c) of Regulation (EEC) No 2727/75 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 June 1990.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 31 May 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 134, 28. 5. 1990, p. 1.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁵⁾ OJ No L 83, 30. 3. 1990, p. 4.

ANNEX

to the Commission Regulation of 31 May 1990 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CN code	Levies	
	Portugal	Third country
0709 90 60	39,80	131,26 ⁽²⁾ ⁽³⁾
0712 90 19	39,80	131,26 ⁽²⁾ ⁽³⁾
1001 10 10	49,77	190,87 ⁽¹⁾ ⁽⁵⁾
1001 10 90	49,77	190,87 ⁽¹⁾ ⁽⁵⁾
1001 90 91	40,78	150,21
1001 90 99	40,78	150,21
1002 00 00	65,46	136,30 ⁽⁶⁾
1003 00 10	56,71	132,02
1003 00 90	56,71	132,02
1004 00 10	48,11	124,76
1004 00 90	48,11	124,76
1005 10 90	39,80	131,26 ⁽²⁾ ⁽³⁾
1005 90 00	39,80	131,26 ⁽²⁾ ⁽³⁾
1007 00 90	56,71	144,77 ⁽⁴⁾
1008 10 00	56,71	39,29
1008 20 00	56,71	107,15 ⁽⁴⁾
1008 30 00	56,71	3,88 ⁽⁵⁾
1008 90 10	(7)	(7)
1008 90 90	56,71	3,88
1101 00 00	71,56	224,76
1102 10 00	106,11	205,35
1103 11 10	91,98	310,68
1103 11 90	75,71	241,16

- (1) Where durum wheat originating in Morocco is transported directly from that country to the Community, the levy is reduced by ECU 0,60/tonne.
- (2) In accordance with Regulation (EEC) No 715/90 the levies are not applied to products imported directly into the French overseas departments, originating in the African, Caribbean and Pacific States or in the 'overseas countries and territories'.
- (3) Where maize originating in the ACP or OCT is imported into the Community the levy is reduced by ECU 1,81/tonne.
- (4) Where millet and sorghum originating in the ACP or OCT is imported into the Community the levy is applied in accordance with Regulation (EEC) No 715/90.
- (5) Where durum wheat and canary seed produced in Turkey are transported directly from that country to the Community, the levy is reduced by ECU 0,60/tonne.
- (6) The import levy charged on rye produced in Turkey and transported directly from that country to the Community is laid down in Council Regulation (EEC) No 1180/77 (OJ No L 142, 9. 6. 1977, p. 10) and Commission Regulation (EEC) No 2622/71 (OJ No L 271, 10. 12. 1971, p. 22).
- (7) The levy applicable to rye shall be charged on imports of the product falling within CN code 1008 90 10 (triticale).

COMMISSION REGULATION (EEC) No 1456/90

of 31 May 1990

fixing the premiums to be added to the import levies on cereals, flour and malt

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1340/90⁽²⁾, and in particular Article 15 (6) thereof,Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy⁽³⁾, as last amended by Regulation (EEC) No 1636/87⁽⁴⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the premiums to be added to the levies on cereals and malt were fixed by Commission Regulation (EEC) No 1916/89⁽⁵⁾ and subsequent amending Regulations;

Whereas, if the levy system is to operate normally, levies should be calculated on the following basis:

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Regulation (EEC) No 1676/85,

— for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded for a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient;

Whereas these exchange rates being those recorded on 30 May 1990;

Whereas, on the basis of today's cif prices and cif forward delivery prices, the premiums at present in force, which are to be added to the levies, should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

1. The premiums referred to in Article 15 of Regulation (EEC) No 2727/75 to be added to the import levies fixed in advance in respect of cereals and malt coming from Portugal shall be zero.

2. The premiums referred to in Article 15 of Regulation (EEC) No 2727/75 to be added to the import levies fixed in advance in respect of cereals and malt coming from third countries shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 June 1990.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 31 May 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 134, 28. 5. 1990, p. 1.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁵⁾ OJ No L 187, 1. 7. 1989, p. 4.

ANNEX

to the Commission Regulation of 31 May 1990 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

CN code	<i>(ECU/tonne)</i>			
	Current 6	1st period 7	2nd period 8	3rd period 9
0709 90 60	0	0	0	0
0712 90 19	0	0	0	0
1001 10 10	0	0	0	0
1001 10 90	0	0	0	0
1001 90 91	0	2,14	2,14	0,64
1001 90 99	0	2,14	2,14	0,64
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 90	0	0	0	0
1004 00 10	0	0	0	0
1004 00 90	0	0	0	0
1005 10 90	0	0	0	0
1005 90 00	0	0	0	0
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	2,99	2,99	0,89

B. Malt

CN code	<i>(ECU/tonne)</i>				
	Current 6	1st period 7	2nd period 8	3rd period 9	4th period 10
1107 10 11	0	3,81	3,81	1,14	1,14
1107 10 19	0	2,85	2,85	0,85	0,85
1107 10 91	0	0	0	0	0
1107 10 99	0	0	0	0	0
1107 20 00	0	0	0	0	0

COMMISSION REGULATION (EEC) No 1457/90
of 31 May 1990
fixing the import levies on rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EEC) No 1806/89 ⁽²⁾, and in particular Article 11 (2) thereof,

Having regard to Commission Regulation (EEC) No 883/87 of 23 March 1987 laying down detailed rules for the application of Council Regulation (EEC) No 3877/86 on imports rice of the long-grain aromatic Basmati variety falling within CN codes 1006 10, 1006 20 and 1006 30 ⁽³⁾, as amended by Regulation (EEC) No 1546/87 ⁽⁴⁾, and in particular Article 8 thereof,

Whereas the import levies on rice and broken rice were fixed by Commission Regulation (EEC) No 791/90 ⁽⁵⁾, as last amended by Regulation (EEC) No 1395/90 ⁽⁶⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 791/90 to today's offer prices and quotations known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on the products listed in Article 1 (1) (a) and (b) of Regulation (EEC) No 1418/76 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 June 1990.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 31 May 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 177, 24. 6. 1989, p. 1.

⁽³⁾ OJ No L 80, 24. 3. 1987, p. 20.

⁽⁴⁾ OJ No L 144, 4. 6. 1987, p. 10.

⁽⁵⁾ OJ No L 85, 31. 3. 1990, p. 6.

⁽⁶⁾ OJ No L 133, 24. 5. 1990, p. 60.

ANNEX

to the Commission Regulation of 31 May 1990 fixing the import levies on rice and broken rice

CN code	(ECU/tonne)			
	Portugal	Arrangement in Regulation (EEC) No 3877/86	ACP or OCT (¹) (²) (³)	Third countries (except ACP or OCT) (³)
1006 10 21	—	—	156,25	319,71
1006 10 23	—	230,36	149,97	307,14
1006 10 25	—	230,36	149,97	307,14
1006 10 27	—	230,36	149,97	307,14
1006 10 92	—	—	156,25	319,71
1006 10 94	—	230,36	149,97	307,14
1006 10 96	—	230,36	149,97	307,14
1006 10 98	—	230,36	149,97	307,14
1006 20 11	—	—	196,22	399,64
1006 20 13	—	287,94	188,36	383,92
1006 20 15	—	287,94	188,36	383,92
1006 20 17	—	287,94	188,36	383,92
1006 20 92	—	—	196,22	399,64
1006 20 94	—	287,94	188,36	383,92
1006 20 96	—	287,94	188,36	383,92
1006 20 98	—	287,94	188,36	383,92
1006 30 21	13,05	—	251,59	527,03
1006 30 23	12,97	457,24	292,94	609,65
1006 30 25	12,97	457,24	292,94	609,65
1006 30 27	12,97	457,24	292,94	609,65
1006 30 42	13,05	—	251,59	527,03
1006 30 44	12,97	457,24	292,94	609,65
1006 30 46	12,97	457,24	292,94	609,65
1006 30 48	12,97	457,24	292,94	609,65
1006 30 61	13,90	—	268,29	561,29
1006 30 63	13,90	490,16	314,42	653,55
1006 30 65	13,90	490,16	314,42	653,55
1006 30 67	13,90	490,16	314,42	653,55
1006 30 92	13,90	—	268,29	561,29
1006 30 94	13,90	490,16	314,42	653,55
1006 30 96	13,90	490,16	314,42	653,55
1006 30 98	13,90	490,16	314,42	653,55
1006 40 00	4,91	—	80,85	167,71

(¹) Subject to the application of the provisions of Articles 12 and 13 of Regulation (EEC) No 715/90.

(²) In accordance with Regulation (EEC) No 715/90, the levies are not applied to products imported directly into the overseas department of Réunion of products originating in the African, Caribbean and Pacific States or in the overseas countries and territories.

(³) The import levy on rice entering the overseas department of Réunion is specified in Article 11a of Regulation (EEC) No 1418/76.

COMMISSION REGULATION (EEC) No 1458/90

of 31 May 1990

fixing the premiums to be added to the import levies on rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EEC) No 1806/89 ⁽²⁾, and in particular Article 13 (6) thereof,Whereas the premiums to be added to the levies on rice and broken rice were fixed by Commission Regulation (EEC) No 2638/89 ⁽³⁾, as last amended by Regulation (EEC) No 1396/90 ⁽⁴⁾;

Whereas, on the basis of today's cif prices and cif forward delivery prices, the premiums at present in force, which are to be added to the levies, should be altered to the amounts shown in the Annex hereto,

HAS ADOPTED THIS REGULATION :

Article 1

1. The premiums to be added to the import levies fixed in advance in respect of rice and broken rice originating in Portugal shall be zero.

2. The premiums to be added to the import levies fixed in advance in respect of rice and broken rice originating in third countries shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 June 1990.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 31 May 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 177, 24. 6. 1989, p. 1.

⁽³⁾ OJ No L 255, 1. 9. 1989, p. 11.

⁽⁴⁾ OJ No L 133, 24. 5. 1990, p. 62.

ANNEX

to the Commission Regulation of 31 May 1990 fixing the premiums to be added to the import levies on rice and broken rice

CN code	<i>(ECU/tonne)</i>			
	Current 6	1st period 7	2nd period 8	3rd period 9
1006 10 21	0	0	0	—
1006 10 23	0	0	0	—
1006 10 25	0	0	0	—
1006 10 27	0	0	0	—
1006 10 92	0	0	0	—
1006 10 94	0	0	0	—
1006 10 96	0	0	0	—
1006 10 98	0	0	0	—
1006 20 11	0	0	0	—
1006 20 13	0	0	0	—
1006 20 15	0	0	0	—
1006 20 17	0	0	0	—
1006 20 92	0	0	0	—
1006 20 94	0	0	0	—
1006 20 96	0	0	0	—
1006 20 98	0	0	0	—
1006 30 21	0	0	0	—
1006 30 23	0	0	0	—
1006 30 25	0	0	0	—
1006 30 27	0	0	0	—
1006 30 42	0	0	0	—
1006 30 44	0	0	0	—
1006 30 46	0	0	0	—
1006 30 48	0	0	0	—
1006 30 61	0	0	0	—
1006 30 63	0	0	0	—
1006 30 65	0	0	0	—
1006 30 67	0	0	0	—
1006 30 92	0	0	0	—
1006 30 94	0	0	0	—
1006 30 96	0	0	0	—
1006 30 98	0	0	0	—
1006 40 00	0	0	0	0

COMMISSION REGULATION (EEC) No 1459/90

of 31 May 1990

fixing the export refunds on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1340/90⁽²⁾, and in particular the fourth subparagraph of Article 16 (2) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽³⁾, as last amended by Regulation (EEC) No 1806/89⁽⁴⁾, and in particular the fourth subparagraph of Article 17 (2) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 of Regulation (EEC) No 2727/75 and Article 17 of Regulation (EEC) No 1418/76 provide that the difference between quotations or prices on the world market for the products listed in Article 1 of those Regulations and prices for those products within the Community may be covered by an export refund;

Whereas Article 2 of Council Regulation (EEC) No 2746/75⁽⁵⁾, and Article 2 of Council Regulation (EEC) No 1431/76⁽⁶⁾ laying down general rules for granting export refunds on cereals and rice respectively and criteria for fixing the amount of such refunds, provide that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of cereals, rice and broken rice on the Community market on the one hand and prices for cereals, rice, broken rice and cereal products on the world market on the other; whereas the same Articles provide that it is also important to ensure equilibrium and the natural development of prices and trade on the markets in cereals and rice and, furthermore, to take into account the economic aspect of the proposed exports, and the need to avoid disturbances on the Community market;

Whereas Article 6 of Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export

system for products processed from cereals and from rice⁽⁷⁾, as last amended by Regulation (EEC) No 1906/87⁽⁸⁾, defines the specific criteria to be taken into account when the refund on these products is being calculated;

Whereas, on the basis of the criteria laid down in Regulation (EEC) No 2744/75, particular account should be taken of the prices and quantities of basic products used to calculate the variable component of the levy; whereas Article 8 of Regulation (EEC) No 2744/75 and Article 1 of Commission Regulation (EEC) No 1077/68⁽⁹⁾, as amended by Regulation (EEC) No 2764/71⁽¹⁰⁾, provide that the amount of the export refund should, for certain products, be reduced by an amount equal to the production refund granted in respect of the basic products;

Whereas it follows from applying these detailed rules to the present situation on the market in products processed from cereals and rice that the export refund should be fixed at an amount which will cover the difference between Community prices and world market prices;

Whereas when the refund is being calculated account should be taken of the quantities of raw materials used to determine the variable component of the levy; whereas the quantities of raw materials used for certain processed products may vary according to the end use of the product; whereas, depending on the manufacturing process used, products other than the main product are obtained, the quantity and value of which may vary with the nature and quality of the main products being manufactured; whereas cumulation of the refunds on the various products manufactured by a single process from the same basic product may make it possible, in certain cases, to export to third countries at prices which are lower than world market prices; whereas the refund on certain products should therefore be limited to an amount which, while allowing access to the world market, will ensure that the aims of the common organization of the markets are respected;

Whereas the refund to be granted in respect of certain processed products should be graduated on the basis of the ash, crude fibre, tegument, protein, fat and starch content of the individual product concerned, this content being a particularly good indicator of the quantity of basic product actually incorporated in the processed product;

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 134, 28. 5. 1990, p. 1.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 177, 24. 6. 1989, p. 1.

⁽⁵⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁶⁾ OJ No L 166, 25. 6. 1976, p. 36.

⁽⁷⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁸⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽⁹⁾ OJ No L 181, 27. 7. 1968, p. 1.

⁽¹⁰⁾ OJ No L 283, 24. 12. 1971, p. 30.

Whereas there is no need at present to fix an export refund for manioc, other tropical roots and tubers or flours obtained therefrom, given the economic aspect of potential exports and in particular the nature and origin of these products; whereas, for certain products processed from cereals, the insignificance of Community participation in world trade makes it unnecessary to fix an export refund at the present time;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the refund for certain products according to destination;

Whereas, if the refund system is to operate normally, refunds should be calculated on the following basis:

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽¹⁾, as last amended by Regulation (EEC) No 1636/87 ⁽²⁾,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded for a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient;

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 31 May 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

Whereas the refund must be fixed once a month; whereas it may be altered in the intervening period;

Whereas, pursuant to Article 275 of the Act of Accession, refunds may be granted in the case of exports to Portugal; whereas, in the light of the situation and the level of prices no refund should be fixed in the case of exports to Portugal;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (d) of Regulation (EEC) No 2727/75 and in Article 1 (1) (c) of Regulation (EEC) No 1418/76 and subject to Regulation (EEC) No 2744/75 are hereby fixed as shown in the Annex to this Regulation.

The refund on export to Portugal has not been fixed.

Article 2

This Regulation shall enter into force on 1 June 1990.

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽²⁾ OJ No L 153, 13. 6. 1987, p. 1.

ANNEX

to the Commission Regulation of 31 May 1990 fixing the export refunds on products processed from cereals and rice

<i>(ECU/tonne)</i>		<i>(ECU/tonne)</i>	
Product code	Refund	Product code	Refund
1102 20 10 100	136,21	1104 22 30 100	134,55
1102 20 10 300	116,75	1104 22 30 900	—
1102 20 10 900	—	1104 22 50 000	—
1102 20 90 100	116,75	1104 23 10 100	145,94
1102 20 90 900	—	1104 23 10 300	111,88
1102 30 00 000	—	1104 23 10 900	—
1102 90 10 100	108,62	1104 29 11 000	—
1102 90 10 900	73,86	1104 29 15 000	—
1102 90 30 100	142,47	1104 29 19 000	—
1102 90 30 900	—	1104 29 91 000	83,91
1103 12 00 100	142,47	1104 29 95 000	83,91
1103 12 00 900	—	1104 30 10 000	18,51
1103 13 11 100	175,12	1104 30 90 000	24,32
1103 13 11 300	136,21	1107 10 11 000	131,81
1103 13 11 500	116,75	1107 10 91 000	128,89
1103 13 11 900	—	1108 11 00 100	148,10
1103 13 19 100	175,12	1108 11 00 900	—
1103 13 19 300	136,21	1108 12 00 100	155,66
1103 13 19 500	116,75	1108 12 00 900	—
1103 13 19 900	—	1108 13 00 100	155,66
1103 13 90 100	116,75	1108 13 00 900	—
1103 13 90 900	—	1108 14 00 100	—
1103 14 00 000	—	1108 14 00 900	—
1103 19 10 000	83,91	1108 19 10 100	237,23
1103 19 30 100	112,24	1108 19 10 900	—
1103 19 30 900	—	1108 19 90 100	—
1103 21 00 000	75,53	1108 19 90 900	—
1103 29 20 000	73,86	1109 00 00 100	0,00
1103 29 30 000	—	1109 00 00 900	—
1103 29 40 000	99,24	1702 30 51 000	203,34
1104 11 90 100	108,62	1702 30 59 000	155,66
1104 11 90 900	—	1702 30 91 000	203,34
1104 12 90 100	158,30	1702 30 99 000	155,66
1104 12 90 300	126,64	1702 40 90 000	155,66
1104 12 90 900	—	1702 90 50 100	203,34
1104 19 10 000	75,53	1702 90 50 900	155,66
1104 19 50 110	155,66	1702 90 75 000	213,07
1104 19 50 130	126,48	1702 90 79 000	147,88
1104 19 50 150	—	2106 90 55 000	155,66
1104 19 50 190	—	2302 10 10 000	19,50
1104 19 50 900	—	2302 10 90 100	19,50
1104 19 91 000	—	2302 10 90 900	—
1104 21 10 100	108,62	2302 20 10 000	19,50
1104 21 10 900	—	2302 20 90 100	19,50
1104 21 30 100	108,62	2302 20 90 900	—
1104 21 30 900	—	2302 30 10 000	19,50
1104 21 50 100	144,82	2302 30 90 000	19,50
1104 21 50 300	115,86	2302 40 10 000	19,50
1104 21 50 900	—	2302 40 90 000	19,50
1104 22 10 100	126,64	2303 10 11 100	77,83
1104 22 10 900	—	2303 10 11 900	—

NB: The product codes and the footnotes are defined in amended Commission Regulation (EEC) No 3846/87 (OJ No L 366, 24. 12. 1987, p. 1).

COMMISSION REGULATION (EEC) No 1460/90

of 31 May 1990

fixing the export refunds on cereal-based compound feedingstuffs

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 1340/90 ⁽²⁾, and in particular the fourth subparagraph of Article 16 (2) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 of Regulation (EEC) No 2727/75 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Article 2 of Council Regulation (EEC) No 2746/75 of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds ⁽³⁾, provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of cereals on the Community market on the one hand and prices for cereals and cereal products on the other; whereas the same Article provides that it is also important to ensure equilibrium and the natural development of prices and trade on the cereal markets;

Whereas it follows from applying these detailed rules to the present situation on the market in cereal-based compound feedingstuffs that the export refund should be fixed at an amount which will cover the difference between Community prices and world market prices;

Whereas Article 7 (1) of Council Regulation (EEC) No 2743/75 of 29 October 1975 on the system to be applied to cereal-based compound feedingstuffs ⁽⁴⁾, as last amended by Regulation (EEC) No 944/87 ⁽⁵⁾, provides

that, when export refunds on cereal-based compound feedingstuffs are being fixed, only certain products used in the manufacture of compound feedingstuffs for which a refund may be fixed should be taken into account;

Whereas Commission Regulation (EEC) No 1913/69 of 29 September 1969 on the granting and the advance fixing of the export refund on cereal-based compound feedingstuffs ⁽⁶⁾, as last amended by Regulation (EEC) No 1349/87 ⁽⁷⁾, provides that calculation of the export refund must be based on the averages of the refunds granted and the levies calculated on the most commonly used basic cereals, adjusted on the basis of the threshold price in force during the current month; whereas that calculation must also take account of the cereal products content; whereas, therefore, in the interest of simplification, compound feedingstuffs should be placed in categories and the refund for each category should be fixed on the basis of the quantity of cereal products content for the category concerned; whereas, furthermore, the amount of the refund must also take into account the possibilities and conditions for the sale of those products on the world market, the need to avoid disturbances on the Community market and the economic aspect of the export;

Whereas, however, in fixing the rate of refund it would seem advisable to base it at this time on the difference in the cost of raw inputs widely used in compound feedingstuffs as between the Community and world markets, allowing more accurate account to be taken of the commercial conditions under which such products are exported;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the refund for compound feedingstuffs according to composition and destination; whereas, for purposes of varying the refund, the destination zones laid down in Annex II to Commission Regulation (EEC) No 1124/77 of 27 May 1977 redefining the destination zones for export refunds or levies and for certain export licences for cereals and rice ⁽⁸⁾, as last amended by Regulation (EEC) No 3049/89 ⁽⁹⁾, should be used;

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 134, 28. 5. 1990, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 60.

⁽⁵⁾ OJ No L 90, 2. 4. 1987, p. 2.

⁽⁶⁾ OJ No L 246, 30. 9. 1969, p. 11.

⁽⁷⁾ OJ No L 127, 16. 5. 1987, p. 14.

⁽⁸⁾ OJ No L 134, 28. 5. 1977, p. 53.

⁽⁹⁾ OJ No L 292, 11. 10. 1989, p. 10.

Whereas, if the refund system is to operate normally, refunds should be calculated on the following basis :

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽¹⁾, as last amended by Regulation (EEC) No 1636/87 ⁽²⁾,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded for a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient ;

Whereas the refund must be fixed once a month ;
whereas it may be altered in the intervening period ;

Whereas, pursuant to Article 275 of the Act of Accession, refunds may be granted in the case of exports to Portugal ;

whereas, in the light of the situation and the level of prices no refund should be fixed in the case of exports to Portugal ;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION :

Article 1

The export refunds on the compound feedingstuffs covered by Regulation (EEC) No 2727/75 and subject to Regulation (EEC) No 2743/75 are hereby fixed as shown in the Annex to this Regulation.

The refund on export to Portugal has not been fixed.

Article 2

This Regulation shall enter into force on 1 June 1990.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 31 May 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L-164, 24. 6. 1985, p. 1.

⁽²⁾ OJ No L-153, 13. 6. 1987, p. 1.

ANNEX

to the Commission Regulation of 31 May 1990 fixing the export refunds on cereal-based compound feedingstuffs

(ECU/tonne)

Product code	Destination (°)	Amount of refund
2309 10 11 050	—	—
2309 10 11 110	01	5,35
	09	—
2309 10 11 190	01	3,80
	09	—
2309 10 11 210	01	10,70
	09	—
2309 10 11 290	01	7,61
	09	—
2309 10 11 310	01	21,40
	09	—
2309 10 11 390	01	15,21
	09	—
2309 10 11 900	—	—
2309 10 13 050	—	—
2309 10 13 110	01	5,35
	09	—
2309 10 13 190	01	3,80
	09	—
2309 10 13 210	01	10,70
	09	—
2309 10 13 290	01	7,61
	09	—
2309 10 13 310	01	21,40
	09	—
2309 10 13 390	01	15,21
	09	—
2309 10 13 900	—	—
2309 10 31 050	—	—
2309 10 31 110	01	5,35
	09	—
2309 10 31 190	01	3,80
	09	—
2309 10 31 210	01	10,70
	09	—
2309 10 31 290	01	7,61
	09	—
2309 10 31 310	01	21,40
	09	—
2309 10 31 390	01	15,21
	09	—
2309 10 31 410	01	32,11
	09	—
2309 10 31 490	01	22,82
	09	—
2309 10 31 510	01	42,81
	09	—

<i>(ECU/tonne)</i>		
Product code	Destination (1)	Amount of refund
2309 10 31 590	01	30,42
	09	—
2309 10 31 610	01	53,51
	09	—
2309 10 31 690	01	38,03
	09	—
2309 10 31 900	—	—
2309 10 33 050	—	—
2309 10 33 110	01	5,35
	09	—
2309 10 33 190	01	3,80
	09	—
2309 10 33 210	01	10,70
	09	—
2309 10 33 290	01	7,61
	09	—
2309 10 33 310	01	21,40
	09	—
2309 10 33 390	01	15,21
	09	—
2309 10 33 410	01	32,11
	09	—
2309 10 33 490	01	22,82
	09	—
2309 10 33 510	01	42,81
	09	—
2309 10 33 590	01	30,42
	09	—
2309 10 33 610	01	53,51
	09	—
2309 10 33 690	01	38,03
	09	—
2309 10 33 900	—	—
2309 10 51 050	—	—
2309 10 51 110	01	5,35
	09	—
2309 10 51 190	01	3,80
	09	—
2309 10 51 210	01	10,70
	09	—
2309 10 51 290	01	7,61
	09	—
2309 10 51 310	01	21,40
	09	—
2309 10 51 390	01	15,21
	09	—
2309 10 51 410	01	32,11
	09	—
2309 10 51 490	01	22,82
	09	—
2309 10 51 510	01	42,81
	09	—
2309 10 51 590	01	30,42
	09	—
2309 10 51 610	01	53,51
	09	—

<i>(ECU/tonne)</i>		
Product code	Destination (!)	Amount of refund
2309 10 51 690	01	38,03
	09	—
2309 10 51 710	01	64,21
	09	—
2309 10 51 790	01	45,63
	09	—
2309 10 51 810	01	70,05
	09	—
2309 10 51 890	01	49,78
	09	—
2309 10 51 900	—	—
2309 10 53 050	—	—
2309 10 53 110	01	5,35
	09	—
2309 10 53 190	01	3,80
	09	—
2309 10 53 210	01	10,70
	09	—
2309 10 53 290	01	7,61
	09	—
2309 10 53 310	01	21,40
	09	—
2309 10 53 390	01	15,21
	09	—
2309 10 53 410	01	32,11
	09	—
2309 10 53 490	01	22,82
	09	—
2309 10 53 510	01	42,81
	09	—
2309 10 53 590	01	30,42
	09	—
2309 10 53 610	01	53,51
	09	—
2309 10 53 690	01	38,03
	09	—
2309 10 53 710	01	64,21
	09	—
2309 10 53 790	01	45,63
	09	—
2309 10 53 810	01	70,05
	09	—
2309 10 53 890	01	49,78
	09	—
2309 10 53 900	—	—
2309 90 31 050	—	—
2309 90 31 110	01	5,35
	09	—

<i>(ECU/tonne)</i>		
Product code	Destination (1)	Amount of refund
2309 90 31 190	01	3,80
	09	—
2309 90 31 210	01	10,70
	09	—
2309 90 31 290	01	7,61
	09	—
2309 90 31 310	01	21,40
	09	—
2309 90 31 390	01	15,21
	09	—
2309 90 31 900	—	—
2309 90 33 050	—	—
2309 90 33 110	01	5,35
	09	—
2309 90 33 190	01	3,80
	09	—
2309 90 33 210	01	10,70
	09	—
2309 90 33 290	01	7,61
	09	—
2309 90 33 310	01	21,40
	09	—
2309 90 33 390	01	15,21
	09	—
2309 90 33 900	—	—
2309 90 41 050	—	—
2309 90 41 110	01	5,35
	09	—
2309 90 41 190	01	3,80
	09	—
2309 90 41 210	01	10,70
	09	—
2309 90 41 290	01	7,61
	09	—
2309 90 41 310	01	21,40
	09	—
2309 90 41 390	01	15,21
	09	—
2309 90 41 410	01	32,11
	09	—
2309 90 41 490	01	22,82
	09	—
2309 90 41 510	01	42,81
	09	—
2309 90 41 590	01	30,42
	09	—
2309 90 41 610	01	53,51
	09	—
2309 90 41 690	01	38,03
	09	—
2309 90 41 900	—	—
2309 90 43 050	—	—
2309 90 43 110	01	5,35
	09	—
2309 90 43 190	01	3,80
	09	—

<i>(ECU/tonne)</i>		
Product code	Destination (°)	Amount of refund
2309 90 43 210	01	10,70
	09	—
2309 90 43 290	01	7,61
	09	—
2309 90 43 310	01	21,40
	09	—
2309 90 43 390	01	15,21
	09	—
2309 90 43 410	01	32,11
	09	—
2309 90 43 490	01	22,82
	09	—
2309 90 43 510	01	42,81
	09	—
2309 90 43 590	01	30,42
	09	—
2309 90 43 610	01	53,51
	09	—
2309 90 43 690	01	38,03
	09	—
2309 90 43 900	—	—
2309 90 51 050	—	—
2309 90 51 110	01	5,35
	09	—
2309 90 51 190	01	3,80
	09	—
2309 90 51 210	01	10,70
	09	—
2309 90 51 290	01	7,61
	09	—
2309 90 51 310	01	21,40
	09	—
2309 90 51 390	01	15,21
	09	—
2309 90 51 410	01	32,11
	09	—
2309 90 51 490	01	22,82
	09	—
2309 90 51 510	01	42,81
	09	—
2309 90 51 590	01	30,42
	09	—
2309 90 51 610	01	53,51
	09	—
2309 90 51 690	01	38,03
	09	—
2309 90 51 710	01	64,21
	09	—
2309 90 51 790	01	45,63
	09	—
2309 90 51 810	01	70,05
	09	—

(ECU/tonne)

Product code	Destination (1)	Amount of refund
2309 90 51 890	01	49,78
	09	—
2309 90 51 900	—	—
2309 90 53 050	—	—
2309 90 53 110	01	5,35
	09	—
2309 90 53 190	01	3,80
	09	—
2309 90 53 210	01	10,70
	09	—
2309 90 53 290	01	7,61
	09	—
2309 90 53 310	01	21,40
	09	—
2309 90 53 390	01	15,21
	09	—
2309 90 53 410	01	32,11
	09	—
2309 90 53 490	01	22,82
	09	—
2309 90 53 510	01	42,81
	09	—
2309 90 53 590	01	30,42
	09	—
2309 90 53 610	01	53,51
	09	—
2309 90 53 690	01	38,03
	09	—
2309 90 53 710	01	64,21
	09	—
2309 90 53 790	01	45,63
	09	—
2309 90 53 810	01	70,05
	09	—
2309 90 53 890	01	49,78
	09	—
2309 90 53 900	—	—

(1) The destinations are as follows:

01 Zones A, B, C, D and E as specified in Annex II to Regulation (EEC) No 1124/77,

09 Other destinations.

NB: The product codes and the footnotes are defined in amended Commission Regulation (EEC) No 3846/87 (OJ No L 366, 24. 12. 1987, p. 1).

COMMISSION REGULATION (EEC) No 1461/90
of 31 May 1990
fixing the export refunds on rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EEC) No 1806/89 ⁽²⁾, and in particular the first sentence of the fourth subparagraph of Article 17 (2) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 17 of Regulation (EEC) No 1418/76 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Article 2 of Council Regulation (EEC) No 1431/76 of 21 June 1976 laying down general rules for granting export refunds on rice and criteria for fixing the amount of such refunds ⁽³⁾, provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of rice and broken rice on the Community market on the one hand and prices for rice and broken rice on the world market on the other; whereas the same Article provides that it is also important to ensure equilibrium and the natural development of prices and trade on the rice market and, furthermore, to take into account the economic aspect of the proposed exports and the need to avoid disturbances of the Community market;

Whereas Commission Regulation (EEC) No 1361/76 ⁽⁴⁾ lays down the maximum percentage of broken rice allowed in rice for which an export refund is fixed and specifies the percentage by which that refund is to be reduced where the proportion of broken rice in the rice exported exceeds that maximum;

Whereas Article 3 of Regulation (EEC) No 1431/76 defines the specific criteria to be taken into account when

the export refund on rice and broken rice is being calculated;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the refund for certain products according to destination;

Whereas a separate refund should be fixed for packaged long grain rice to accommodate current demand for the product on certain markets;

Whereas the refund must be fixed at least once a month; whereas it may be altered in the intervening period;

Whereas, if the refund system is to operate normally, refunds should be calculated on the following basis:

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽⁵⁾, as last amended by Regulation (EEC) No 1636/87 ⁽⁶⁾;
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded for a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient;

Whereas it follows from applying these rules and criteria to the present situation on the market in rice and in particular to quotations or prices for rice and broken rice within the Community and on the world market, that the refund should be fixed as set out in the Annex hereto;

Whereas, pursuant to Article 275 of the Act of Accession, refunds may be granted in the case of exports to Portugal; whereas, in the light of the situation and the level of prices no refund should be fixed in the case of exports to Portugal;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 177, 24. 6. 1989, p. 1.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 36.

⁽⁴⁾ OJ No L 154, 15. 6. 1976, p. 11.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁶⁾ OJ No L 153, 13. 6. 1987, p. 1.

HAS ADOPTED THIS REGULATION :

listed in paragraph 1 (c) of that Article, exported in the natural state, shall be as set out in the Annex hereto. The refund on export to Portugal has not been fixed.

Article 1

The export refunds on the products listed in Article 1 of Regulation (EEC) No 1418/76 with the exception of those

Article 2

This Regulation shall enter into force on 1 June 1990.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 31 May 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 31 May 1990 fixing the export refunds on rice and broken rice

<i>(ECU/tonne)</i>		
Product code	Destination (1)	Amount of refunds
1006 20 11 000	—	—
1006 20 13 000	01	172,83
1006 20 15 000	01	172,83
1006 20 17 000	—	—
1006 20 92 000	—	—
1006 20 94 000	01	172,83
1006 20 96 000	01	172,83
1006 20 98 000	—	—
1006 30 21 000	—	—
1006 30 23 000	01	172,83
1006 30 25 000	01	172,83
1006 30 27 000	—	—
1006 30 42 000	—	—
1006 30 44 000	01	172,83
1006 30 46 000	01	172,83
1006 30 48 000	—	—
1006 30 61 000	—	—
1006 30 63 100	01	216,04
	03	222,04
	05	222,04
	06	227,04
	07	227,04
	08	222,04
	09	222,04
	10	227,04
	11	227,04
	12	227,04
	13	216,04
	14	227,04
1006 30 63 900	01	216,04
	13	216,04
1006 30 65 100	01	216,04
	03	222,04
	05	222,04
	06	227,04
	07	227,04
	08	222,04
	09	222,04
	10	227,04
	11	227,04
	12	227,04
	13	216,04
	14	227,04
1006 30 65 900	01	216,04
	13	216,04
1006 30 67 100	—	—
1006 30 67 900	—	—
1006 30 92 000	—	—

<i>(ECU/tonne)</i>			
Product code	Destination (1)	Amount of refunds	
1006 30 94 100	01	216,04	
	03	222,04	
	05	222,04	
	06	227,04	
	07	227,04	
	08	222,04	
	09	222,04	
	10	227,04	
	11	227,04	
	12	227,04	
	13	216,04	
	14	227,04	
	1006 30 94 900	01	216,04
		13	216,04
1006 30 96 100	01	216,04	
	03	222,04	
	05	222,04	
	06	227,04	
	07	227,04	
	08	222,04	
	09	222,04	
	10	227,04	
	11	227,04	
	12	227,04	
1006 30 96 900	01	216,04	
	13	216,04	
1006 30 98 100	—	—	
1006 30 98 900	—	—	
1006 40 00 000	—	—	

(1) The destinations are identified as follows :

- 01 Austria, Liechtenstein, Switzerland, the communes of Livigno and Campione d'Italia,
- 02 Third countries other than Austria, Liechtenstein, Switzerland and the communes of Livigno and Campione d'Italie,
- 03 Zone I,
- 04 Third countries other than Austria, Liechtenstein, Switzerland, the communes of Livigno and Campione d'Italie and countries of zone I,
- 05 Zone II b),
- 06 Zone IV a),
- 07 Zone IV b),
- 08 Zone VI,
- 09 Canary Islands, Ceuta and Melilla,
- 10 Zone V a),
- 11 Zone VII c),
- 12 Canada,
- 13 Destinations mentioned in Article 34 of Commission Regulation (EEC) No 3665/87 (OJ No L 351, 14. 12. 1987, p. 1),
- 14 Zone VIII, except Surinam, Guyana and Madagascar.

NB: The zones are those defined in the Annex to Commission Regulation (EEC) No 1124/77 (OJ No L 134, 28. 5. 1977, p. 35), as last amended by Regulation (EEC) No 3049/89 (JO No L 292, 11. 10. 1989, p. 10).

COMMISSION REGULATION (EEC) No 1462/90

of 31 May 1990

fixing the corrective amount applicable to the refund on rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EEC) No 1806/89 ⁽²⁾, and in particular the second subparagraph of Article 17 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the first subparagraph of Article 17 (4) of Regulation (EEC) No 1418/76 provides that the export refund applicable to rice and broken rice on the day on which application for an export licence is made, adjusted for the threshold price which will be in force during the month of exportation, must be applied on request to exports to be effected during the period of validity of the licence ;

Whereas Commission Regulation No 474/67/EEC ⁽³⁾, as amended by Regulation (EEC) No 1397/68 ⁽⁴⁾, lays down detailed rules for the advance fixing of the export refund on rice and broken rice ;

Whereas that Regulation provides that the refund applicable on the day on which application for an export licence is made must, when it is fixed in advance, be reduced by an amount no greater than the difference between the cif forward delivery price and the cif price, where the former exceeds the latter by more than ECU 0,30 per tonne ; whereas on the other hand, the refund must be increased by an amount no greater than the difference between the cif price and the cif forward delivery price, where the former exceeds the latter by more than ECU 0,30 per tonne ;

Whereas the cif price is that determined in accordance with Article 16 of Regulation (EEC) No 1418/76 ; whereas the cif forward delivery price is that determined in accordance

with Article 3 (2) of Council Regulation (EEC) No 1428/76 ⁽⁵⁾, based in respect of each month for which the export licence is valid, on the cif price calculated on the basis of offers for shipment during the month of exportation ;

Whereas, if the refund system is to operate normally, refunds should be calculated on the following basis :

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽⁶⁾, as last amended by Regulation (EEC) No 1636/87 ⁽⁷⁾,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded for a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient ;

Whereas it follows from applying the provisions set out above that the corrective amount must be as set out in the Annex hereto ;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION :

Article 1

The corrective amount referred to in Article 17 (4) of Regulation (EEC) No 1418/76 which is applicable to the export refunds fixed in advance in respect of rice and broken rice shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 June 1990.

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 177, 24. 6. 1989, p. 1.

⁽³⁾ OJ No 204, 24. 8. 1967, p. 20.

⁽⁴⁾ OJ No L 222, 10. 9. 1968, p. 6.

⁽⁵⁾ OJ No L 166, 25. 6. 1976, p. 30.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 153, 13. 6. 1987, p. 1.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 31 May 1990.

For the Commission
Ray MAC SHARRY
Member of the Commission

ANNEX

to the Commission Regulation of 31 May 1990 fixing the corrective amount applicable to the refund on rice and broken rice

(ECU/tonne)

Product code	Current 6	1st period 7	2nd period 8	3rd period 9
1006 20 11 000	—	—	—	—
1006 20 13 000	0	0	0	0
1006 20 15 000	0	0	0	0
1006 20 17 000	—	—	—	—
1006 20 92 000	—	—	—	—
1006 20 94 000	0	0	0	0
1006 20 96 000	0	0	0	0
1006 20 98 000	—	—	—	—
1006 30 21 000	—	—	—	—
1006 30 23 000	0	0	0	0
1006 30 25 000	0	0	0	0
1006 30 27 000	—	—	—	—
1006 30 42 000	—	—	—	—
1006 30 44 000	0	0	0	0
1006 30 46 000	0	0	0	0
1006 30 48 000	—	—	—	—
1006 30 61 000	—	—	—	—
1006 30 63 100	0	0	0	0
1006 30 63 900	0	0	0	0
1006 30 65 100	0	0	0	0
1006 30 65 900	0	0	0	0
1006 30 67 100	—	—	—	—
1006 30 67 900	—	—	—	—
1006 30 92 000	—	—	—	—
1006 30 94 100	0	0	0	0
1006 30 94 900	0	0	0	0
1006 30 96 100	0	0	0	0
1006 30 96 900	0	0	0	0
1006 30 98 100	—	—	—	—
1006 30 98 900	—	—	—	—
1006 40 00 000	—	—	—	—

COMMISSION REGULATION (EEC) No 1463/90

of 31 May 1990

fixing the export refunds on malt

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1340/90⁽²⁾, and in particular the fourth subparagraph of Article 16⁽²⁾ thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 of Regulation (EEC) No 2727/75 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of those Regulations and prices for those products within the Community may be covered by an export refund;

Whereas Article 2 of Council Regulation (EEC) No 2746/75 of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds⁽³⁾ provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of cereals on the Community market on the one hand and prices for cereals and cereal products on the world market on the other; whereas the same Article provides that it is also important to ensure equilibrium and the natural development of prices and trade on cereal markets and, furthermore, to take into account the economic aspect of the proposed exports, and the need to avoid disturbances on the Community market;

Whereas Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and from rice⁽⁴⁾, as last amended by Regulation (EEC) No 1906/87⁽⁵⁾, defines the specific criteria to be taken into account when the refund on these products is being calculated;

Whereas it follows from applying these detailed rules to the present situation on the market in products processed

from cereals and rice that the export refund should be fixed at an amount which will cover the difference between Community prices and world market prices;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the refund for certain products according to destination;

Whereas, if the refund system is to operate normally, refunds should be calculated on the following basis:

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽⁶⁾, as last amended by Regulation (EEC) No 1636/87⁽⁷⁾,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded for a given period in relation to the Community currencies referred to in the previous indent and the aforesaid coefficient;

Whereas the refund must be fixed once a month; whereas it may be altered in the intervening period;

Whereas, pursuant to Article 275 of the Act of Accession, refunds may be granted in the case of exports to Portugal; whereas, in the light of the situation and the level of prices no refund should be fixed in the case of exports to Portugal;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on malt listed in Article 1 (d) of Regulation (EEC) No 2727/75 subject to Regulation (EEC) No 2744/75 shall be as set out in the Annex hereto.

The refund on export to Portugal has not been fixed.

Article 2

This Regulation shall enter into force on 1 June 1990.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 134, 28. 5. 1990, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁵⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 153, 13. 6. 1987, p. 1.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 31 May 1990.

For the Commission
Ray MAC SHARRY
Member of the Commission

ANNEX

to the Commission Regulation of 31 May 1990 fixing the export refunds on malt

<i>(ECU / tonne)</i>	
Product code	Refund
1107 10 19 000	50,00
1107 10 99 000	80,00
1107 20 00 000	90,00

NB: The product codes and the footnotes are defined in amended Commission Regulation (EEC) No 3846/87 (OJ No L 366, 24. 12. 1987, p. 1).

COMMISSION REGULATION (EEC) No 1464/90

of 31 May 1990

fixing the corrective amount applicable to the refund on malt

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Council Regulation (EEC) No 1340/90 ⁽²⁾,

Having regard to Council Regulation (EEC) No 2746/75 of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds ⁽³⁾,

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 (4) of Regulation (EEC) No 2727/75 provides that the export refund applicable to cereals on the day on which application for an export licence is made, adjusted for the threshold price in force during the month of exportation, must be applied on request to exports to be effected during the period of validity of the export licence; whereas, in this case, a corrective amount must be applied to the refund;

Whereas Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and from rice ⁽⁴⁾, as last amended by Regulation (EEC) No 1906/87 ⁽⁵⁾, made possible the fixing of a corrective amount for certain products listed in Article 1 (d) of Regulation (EEC) No 2727/75;

Whereas Commission Regulation (EEC) No 1281/75 ⁽⁶⁾ laid down detailed rules for the advance fixing of export refunds for cereals and certain products processed from cereals;

Whereas, pursuant to that Regulation, when the corrective amount is being fixed in respect of malt, account must be taken of the existing situation and the future trend with regard to the possibilities and conditions for the sale of the cereals concerned and of malt on the world market; whereas the same Regulation also provides that account

must be taken of the quantity of cereals needed for making malt, the economic aspect of exports and the need to avoid disturbances on the Community market;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the corrective amount according to destination;

Whereas the corrective amount must be fixed at the same time as the refund and according to the same procedure; whereas it may be altered in the period between fixings;

Whereas, if the system of corrective amounts is to operate normally, corrective amounts should be calculated on the following basis:

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽⁷⁾, as last amended by Regulation (EEC) No 1636/87 ⁽⁸⁾,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the preceding indent, and the aforesaid coefficient;

Whereas it follows from applying the provisions set out above that the corrective amount must be as set out in the Annex hereto;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

The corrective amount referred to in Article 16 (4) of Regulation (EEC) No 2727/75 which is applicable to export refunds fixed in advance in respect of malt shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 June 1990.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 134, 28. 5. 1990, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁵⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽⁶⁾ OJ No L 131, 22. 5. 1975, p. 15.

⁽⁷⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁸⁾ OJ No L 153, 13. 6. 1987, p. 1.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 31 May 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 31 May 1990 fixing the corrective amount applicable to the refund on malt

(ECU/tonne)

Product code	Current 6	1st period 7	2nd period 8	3rd period 9	4th period 10	5th period 11
1107 10 11 000	0	0	0	0	0	0
1107 10 19 000	0	0	0	0	0	0
1107 10 91 000	0	0	0	0	0	0
1107 10 99 000	0	0	0	0	0	0
1107 20 00 000	0	0	0	0	0	0

(ECU/tonne)

Product code	6th period 12	7th period 1	8th period 2	9th period 3	10th period 4	11th period 5
1107 10 11 000	0	0	0	0	0	0
1107 10 19 000	0	0	0	0	0	0
1107 10 91 000	0	0	0	0	0	0
1107 10 99 000	0	0	0	0	0	0
1107 20 00 000	0	0	0	0	0	0

COMMISSION REGULATION (EEC) No 1465/90

of 31 May 1990

fixing the corrective amount applicable to the refund on cereals

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 1340/90 ⁽²⁾,

Having regard to Council Regulation (EEC) No 2746/75 of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds ⁽³⁾,

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 (4) of Regulation (EEC) No 2727/75 provides that the export refund applicable to cereals on the day on which application for an export licence is made, adjusted for the threshold price in force during the month of exportation, must be applied on request to exports to be effected during the period of validity of the export licence; whereas, in this case, a corrective amount must be applied to the refund;

Whereas Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and from rice ⁽⁴⁾, as last amended by Regulation (EEC) No 1906/87 ⁽⁵⁾, made possible the fixing of a corrective amount for certain products listed in Article 1 (c) of Regulation (EEC) No 2727/75;

Whereas Commission Regulation (EEC) No 1281/75 ⁽⁶⁾ laid down detailed rules for the advance fixing of export refunds for cereals and certain products processed from cereals;

Whereas, pursuant to that Regulation, when the corrective amount is being fixed, account must be taken of the exist-

ing situation and the future trend with regard to prices and availabilities of cereals on the Community market on the one hand and possibilities and conditions for the sale of cereals and cereal products on the world market on the other; whereas the same Regulation provides that it is also important to ensure equilibrium and the natural development of prices and trade on cereal markets and, furthermore, to take into account the economic aspect of exports and the need to avoid disturbances on the Community market;

Whereas for the products listed in Article 1 (c) of Regulation (EEC) No 2727/75 account should be taken of the specific criteria laid down in Article 2 (2) of Regulation (EEC) No 1281/75;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the corrective amount according to destination;

Whereas the corrective amount must be fixed at the same time as the refund and according to the same procedure; whereas it may be altered in the period between fixings;

Whereas, if the system of corrective amounts is to operate normally, corrective amounts should be calculated on the following basis:

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽⁷⁾, as last amended by Regulation (EEC) No 1636/87 ⁽⁸⁾,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the preceding indent and the aforesaid coefficient;

Whereas it follows from applying the provisions set out above that the corrective amount must be as set out in the Annex hereto;

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 134, 28. 5. 1990, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁵⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽⁶⁾ OJ No L 131, 22. 5. 1975, p. 15.

⁽⁷⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁸⁾ OJ No L 153, 13. 6. 1987, p. 1.

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

export refunds fixed in advance in respect of cereals shall be as set out in the Annex hereto.

HAS ADOPTED THIS REGULATION:

Article 1

The corrective amount referred to in Article 16 (4) of Regulation (EEC) No 2727/75 which is applicable to

Article 2

This Regulation shall enter into force on 1 June 1990.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 31 May 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 31 May 1990 fixing the corrective amount applicable to the refund on cereals

(ECU/tonne)

Product code	Destination (1)	Current 6	1st period 7	2nd period 8	3rd period 9	4th period 10	5th period 11	6th period 12
0709 90 60 000	—	—	—	—	—	—	—	—
0712 90 19 000	—	—	—	—	—	—	—	—
1001 10 10 000	—	—	—	—	—	—	—	—
1001 10 90 000	01	0	- 40,00	- 40,00	- 40,00	- 40,00	- 40,00	- 40,00
1001 90 91 000	—	—	—	—	—	—	—	—
1001 90 99 000	01	0	+ 40,00	+ 40,00	+ 40,00	+ 40,00	- 30,00	- 30,00
1002 00 00 000	01	0	+ 40,00	+ 40,00	+ 40,00	+ 40,00	- 30,00	- 30,00
1003 00 10 000	—	—	—	—	—	—	—	—
1003 00 90 000	01	0	+ 40,00	+ 40,00	+ 40,00	+ 40,00	- 30,00	- 30,00
1004 00 10 000	—	—	—	—	—	—	—	—
1004 00 90 000	—	—	—	—	—	—	—	—
1005 10 90 000	—	—	—	—	—	—	—	—
1005 90 00 000	01	0	- 30,00	- 30,00	- 30,00	- 30,00	- 30,00	- 30,00
1007 00 90 000	—	—	—	—	—	—	—	—
1008 20 00 000	—	—	—	—	—	—	—	—
1101 00 00 110	01	0	- 30,00	- 30,00	- 30,00	- 30,00	- 30,00	- 30,00
1101 00 00 120	01	0	- 30,00	- 30,00	- 30,00	- 30,00	- 30,00	- 30,00
1101 00 00 130	01	0	- 30,00	- 30,00	- 30,00	- 30,00	- 30,00	- 30,00
1101 00 00 150	01	0	- 30,00	- 30,00	- 30,00	- 30,00	- 30,00	- 30,00
1101 00 00 170	01	0	- 30,00	- 30,00	- 30,00	- 30,00	- 30,00	- 30,00
1101 00 00 180	01	0	- 30,00	- 30,00	- 30,00	- 30,00	- 30,00	- 30,00
1101 00 00 190	—	—	—	—	—	—	—	—
1101 00 00 900	—	—	—	—	—	—	—	—
1102 10 00 100	01	0	- 30,00	- 30,00	- 30,00	- 30,00	- 30,00	- 30,00
1102 10 00 200	01	0	- 30,00	- 30,00	- 30,00	- 30,00	- 30,00	- 30,00
1102 10 00 300	01	0	- 30,00	- 30,00	- 30,00	- 30,00	- 30,00	- 30,00
1102 10 00 500	01	0	- 30,00	- 30,00	- 30,00	- 30,00	- 30,00	- 30,00
1102 10 00 900	—	—	—	—	—	—	—	—
1103 11 10 100	01	0	- 50,00	- 50,00	- 50,00	- 50,00	- 50,00	- 50,00
1103 11 10 200	01	0	- 50,00	- 50,00	- 50,00	- 50,00	- 50,00	- 50,00
1103 11 10 500	01	0	- 50,00	- 50,00	- 50,00	- 50,00	- 50,00	- 50,00
1103 11 10 900	01	0	- 50,00	- 50,00	- 50,00	- 50,00	- 50,00	- 50,00
1103 11 90 100	01	0	- 50,00	- 50,00	- 50,00	- 50,00	- 50,00	- 50,00
1103 11 90 900	—	—	—	—	—	—	—	—

(1) For the following destinations:

01 All third countries.

NB: The zones are those defined in Commission Regulation (EEC) No 1124/77 (OJ No L 134, 28. 5. 1977, p. 53), as last amended by Regulation (EEC) No 3049/89 (OJ No L 292, 11. 10. 1989, p. 10).

COMMISSION REGULATION (EEC) No 1466/90

of 31 May 1990

fixing the refunds applicable for June 1990 to cereal and rice sector products supplied as Community and national food aid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 1340/90 ⁽²⁾, and in particular the fourth subparagraph of Article 16 (2) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽³⁾, as last amended by Regulation (EEC) No 1806/89 ⁽⁴⁾, and in particular Article 11 (2) thereof,

Whereas Article 2 of Council Regulation (EEC) No 2681/74 of 21 October 1974 on Community financing of expenditure incurred in respect of the supply of agricultural products as food aid ⁽⁵⁾ lays down that the portion of the expenditure corresponding to the export refunds on the products in question fixed under Community rules is to be charged to the European Agricultural Guidance and Guarantee Fund, Guarantee Section;

Whereas, in order to make it easier to draw up and manage the budget for Community food aid actions and to enable the Member States to know the extent of Community participation in the financing of national food aid actions, the level of the refunds granted for these actions should be determined;

Whereas the general and implementing rules provided for in Article 16 of Regulation (EEC) No 2727/75 and in Article 17 of Regulation (EEC) No 1418/76 on export refunds are applicable *mutatis mutandis* to the above-mentioned operations;

Whereas Article 3 of Council Regulation (EEC) No 2746/75 ⁽⁶⁾ and Article 6 of Council Regulation (EEC) No 2744/75 ⁽⁷⁾, as last amended by Regulation (EEC) No 1906/87 ⁽⁸⁾, lay down specific criteria to be taken into account for calculating the refunds on cereals and on products processed from cereals; whereas specific criteria applying in the case of wheat flours are set out in Article 4 of Regulation (EEC) No 2746/75;

Whereas the specific criteria to be used for calculating the export refund on rice are set out in Article 3 of Council Regulation (EEC) No 1431/76 ⁽⁹⁾;

Whereas the refunds fixed by this Regulation are applicable without any variations, for all destinations;

Whereas the measures provided for this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

For Community and national food aid operations the refunds applicable for June 1990 to cereals and rice sector products shall be as set out in the Annex.

Article 2

The refunds fixed in this Regulation shall not be regarded as refunds varying according to destination.

Article 3

This Regulation shall enter into force on 1 June 1990.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 31 May 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.
⁽²⁾ OJ No L 134, 28. 5. 1990, p. 1.
⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.
⁽⁴⁾ OJ No L 177, 24. 6. 1989, p. 1.
⁽⁵⁾ OJ No L 288, 25. 10. 1974, p. 1.

⁽⁶⁾ OJ No L 281, 1. 11. 1975, p. 78.
⁽⁷⁾ OJ No L 281, 1. 11. 1975, p. 65.
⁽⁸⁾ OJ No L 182, 3. 7. 1987, p. 49.
⁽⁹⁾ OJ No L 166, 25. 6. 1976, p. 36.

ANNEX

to the Commission Regulation of 31 May 1990 fixing the refunds applicable for June 1990 to cereal and rice sector products supplied as Community and national food aid

<i>(ECU/tonne)</i>	
Product code	Refund
1001 10 90 000	100,00
1001 90 99 000	60,00
1002 00 00 000	60,00
1003 00 90 000	60,00
1004 00 90 000	—
1005 90 00 000	85,00
1006 20 92 000	185,63
1006 20 94 000	185,63
1006 30 42 000	—
1006 30 44 000	—
1006 30 92 000	232,04
1006 30 94 100	232,04
1006 30 94 900	232,04
1006 30 96 100	232,04
1006 30 96 900	232,04
1006 40 00 000	—
1007 00 90 000	85,00
1101 00 00 110	78,00
1101 00 00 120	78,00
1101 00 00 130	78,00
1102 20 10 100	136,21
1102 30 00 000	—
1102 90 10 100	108,62
1103 11 10 500	171,00
1103 11 90 100	84,00
1103 13 19 100	175,12
1103 14 00 000	—
1104 12 90 100	158,30
1104 21 50 100	144,82

NB: The product codes and the footnotes are defined in amended Commission Regulation (EEC) No 3846/87 (OJ No L 366, 24. 12. 1987, p. 1).

COMMISSION REGULATION (EEC) No 1467/90

of 31 May 1990

fixing the import levies on syrups and certain other products in the sugar sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EEC) No 1069/89 ⁽²⁾, and in particular Article 16 (8) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 (1) of Regulation (EEC) No 1785/81 provides for charging a levy on imports of the products listed in Article 1 (1) of that Regulation;

Whereas the levy on the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 must be calculated, where appropriate, at a standard rate on the basis of the sucrose content (including other sugars expressed as sucrose) of the product concerned and of the levy on white sugar; whereas, however, the levies on maple sugar and maple syrup are limited to the amount resulting from application of the rate of duty bound within GATT;

Whereas Article 7 of Commission Regulation (EEC) No 837/68 of 28 June 1968 on detailed rules for the application of levies on sugar ⁽³⁾, as last amended by Regulation (EEC) No 1428/78 ⁽⁴⁾, provides that the basic amount of the levy for 100 kilograms of product must be fixed per percentage point of sucrose content;

Whereas the basic amount of the levy must be equal to one-hundredth of the average of the levies applicable to 100 kilograms of white sugar during the first 20 days of the month preceding the month for which the basic amount of the levy is fixed; whereas, however, the levy applicable to white sugar on the day of the fixing of the basic amount must be substituted for the average of the levies, where that levy differs by at least ECU 0,73 from that average;

Whereas the basic amount must be fixed each month; whereas it must, however, be altered during the period

between the day on which it is fixed and the first day of the month following the month for which the basic amount is applicable, if the levy on white sugar differs by at least ECU 0,73 from the average referred to above or from the levy on white sugar used to fix the basic amount; whereas, in this case, the basic amount must be equal to one-hundredth of the levy on white sugar used to calculate the alteration;

Whereas the basic amount thus fixed must be adjusted on the basis of variations in the threshold price for white sugar occurring between the month in which the basic amount is fixed and the period of application; whereas this adjustment, equal to one-hundredth of the difference between these two threshold prices, must be deducted from or added to the basic amount in the circumstances provided for in Article 7 (6) of Regulation (EEC) No 837/68;

Whereas the levy on the products referred to in Article 1 (1) (f) and (g) of Regulation (EEC) No 1785/81 comprises, under Article 16 (6) of that Regulation, a variable element and a fixed element, with the latter, per 100 kilograms of dry matter, being equal to one-tenth of the fixed element established pursuant to point B of Article 14 (1) of Council Regulation (EEC) No 2727/75 ⁽⁵⁾, as last amended by Regulation (EEC) No 1340/90 ⁽⁶⁾, for the fixing of the import levy on the products falling within CN codes 1702 30 91, 1702 30 99, 1702 40 90 and 1702 90 50, and the variable element, per 100 kilograms of dry matter, being equal to 100 times the basic import levy applicable as from the first of each month in the case of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81; whereas the levy must be fixed each month;

Whereas, if the levy system is to operate normally, levies should be calculated on the following basis:

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last subparagraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽⁷⁾, as last amended by Regulation (EEC) No 1636/87 ⁽⁸⁾,

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 114, 27. 4. 1989, p. 1.

⁽³⁾ OJ No L 151, 30. 6. 1968, p. 42.

⁽⁴⁾ OJ No L 171, 28. 6. 1978, p. 34.

⁽⁵⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽⁶⁾ OJ No L 134, 28. 5. 1990, p. 1.

⁽⁷⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁸⁾ OJ No L 153, 13. 6. 1987, p. 1.

— for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient;

Whereas it follows from the application of these provisions that the import levies on the products concerned should be as indicated in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies on the products listed in Article 1 (1) (d), (f) and (g) of Regulation (EEC) No 1785/81 shall be as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 June 1990.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 31 May 1990.

For the Commission:

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 31 May 1990 fixing the import levies on syrups and certain other products in the sugar sector

(ECU)

CN code	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question	Amount of levy per 100 kg of dry matter
1702 20 10	0,3356	—
1702 20 90	0,3356	—
1702 30 10	—	43,23
1702 40 10	—	43,23
1702 60 10	—	43,23
1702 60 90	0,3356	—
1702 90 30	—	43,23
1702 90 60	0,3356	—
1702 90 71	0,3356	—
1702 90 90	0,3356	—
2106 90 30	—	43,23
2106 90 59	0,3356	—

COMMISSION REGULATION (EEC) No 1468/90

of 31 May 1990

fixing the export refunds on syrups and certain other sugar products exported in the natural state

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EEC) No 1069/89 ⁽²⁾, and in particular Article 19 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 19 of Regulation (EEC) No 1785/81 provides that the difference between quotations or prices on the world market for the products listed in Article 1 (1) (d) of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Article 8 of Council Regulation (EEC) No 766/68 of 18 June 1968 laying down general rules for granting export refunds on sugar ⁽³⁾, as last amended by Regulation (EEC) No 1489/76 ⁽⁴⁾, provides that the export refund on 100 kilograms of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 is equal to the basic amount multiplied by the sucrose content, including, where appropriate, other sugars expressed as sucrose; whereas the sucrose content of the product in question is determined in accordance with Article 13 of Commission Regulation (EEC) No 394/70 of 2 March 1970 on detailed rules for granting export refunds on sugar ⁽⁵⁾, as last amended by Regulation (EEC) No 1714/88 ⁽⁶⁾;

Whereas Article 7 of Regulation (EEC) No 766/68 provides that the basic amount of the refund on sorbose exported in the natural state must be equal to the basic amount of the refund less one-hundredth of the produc-

tion refund applicable, pursuant to Council Regulation (EEC) No 1400/78 of 20 June 1978 laying down general rules for the production refund on sugar used in the chemical industry ⁽⁷⁾, to the products listed in the Annex to the last mentioned Regulation;

Whereas the basic amount of the refund on the other products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 exported in the natural state must be equal to one-hundredth of an amount which takes account, on the one hand, of the difference between the intervention price for white sugar for the Community areas without deficit for the month for which the basic amount is fixed and quotations or prices for white sugar on the world market and, on the other, of the need to establish a balance between the use of Community basic products in the manufacture of processed goods for export to third countries and the use of third country products brought in under inward processing arrangements;

Whereas the application of the basic amount may be limited to some of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81;

Whereas Article 19 of Regulation (EEC) No 1785/81 makes provision for setting refunds for export in the natural state of products referred to in Article 1 (1) (f) and (g) of that Regulation; whereas the refund must be fixed per 100 kilograms of dry matter, taking account of the export refund for products falling within CN code 1702 30 91 and for products referred to in Article 1 (1) (d) of Regulation (EEC) No 1785/81 and of the economic aspects of the intended exports; whereas the refund is to be granted only for products complying with the conditions in Article 3 of Commission Regulation (EEC) No 1469/77 of 30 June 1977 laying down rules for applying the levy and the refund in respect of isoglucose and amending Regulation (EEC) No 192/75 ⁽⁸⁾, as amended by Regulation (EEC) No 1714/88;

Whereas, if the refund system is to operate normally, refunds should be calculated on the following basis:

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 114, 27. 4. 1989, p. 1.

⁽³⁾ OJ No L 143, 25. 6. 1968, p. 6.

⁽⁴⁾ OJ No L 167, 26. 6. 1976, p. 13.

⁽⁵⁾ OJ No L 50, 4. 3. 1970, p. 1.

⁽⁶⁾ OJ No L 152, 18. 6. 1988, p. 23.

⁽⁷⁾ OJ No L 170, 27. 6. 1978, p. 9.

⁽⁸⁾ OJ No L 162, 1. 7. 1977, p. 9.

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last subparagraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽¹⁾, as last amended by Regulation (EEC) No 1636/87 ⁽²⁾,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient;

Whereas the refunds referred to above must be fixed every month; whereas they may be altered in the intervening period;

Whereas application of these quotas results in fixing refunds for the products in question at the levels given in the Annex to this Regulation;

Whereas, pursuant to Article 275 of the Act of Accession, refunds may be granted in the case of exports to Portugal; whereas, in the light of the situation and the level of

prices no refund should be fixed in the case of exports to Portugal;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (d), (f) and (g) of Regulation (EEC) No 1785/81, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 June 1990.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 31 May 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽²⁾ OJ No L 153, 13. 6. 1987, p. 1.

ANNEX

to the Commission Regulation of 31 May 1990 fixing the export refunds on syrups and certain other sugar products exported in the natural state

(ECU)

Product code	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question ⁽¹⁾	Amount of refund per 100 kg of dry matter ⁽²⁾
1702 40 10 100		29,30
1702 60 10 000		29,30
1702 60 90 000	0,2930	
1702 90 30 000		29,30
1702 90 60 000	0,2930	
1702 90 71 000	0,2930	
1702 90 90 900	0,2930	
2106 90 30 000		29,30
2106 90 59 000	0,2930	

⁽¹⁾ The basic amount is not applicable to syrups which are less than 85 % pure (Regulation (EEC) No 394/70). Sucrose content is determined in accordance with Article 13 of Regulation (EEC) No 394/70.

⁽²⁾ Applicable only to products referred to in Article 3 of Regulation (EEC) No 1469/77.

NB: The product codes and the footnotes are defined in amended Commission Regulation (EEC) No 3846/87 (OJ No L 366, 24. 12. 1987, p. 1).

COMMISSION REGULATION (EEC) No 1469/90

of 31 May 1990

fixing the reduced levy on imports into Portugal of certain quantities of raw sugar intended for Portuguese refineries

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EEC) No 1069/89 ⁽²⁾ and in particular Article 16 (8) thereof,

Whereas, in accordance with Article 303 of the Act of Accession, a reduced levy is applied during the period of seven years following accession on imports into Portugal of certain quantities of raw sugar originating in certain third countries;

Whereas Commission Regulation (EEC) No 599/86 ⁽³⁾, as last amended by Regulation (EEC) No 1090/90 ⁽⁴⁾, fixes

the reduced levy applicable on imports into Portugal of certain quantities of raw sugar intended for Portuguese refineries;

Whereas the levy should, in the light of the application of the detailed rules and arrangements specified in Regulation (EEC) No 599/86 to the data available to the Commission, be fixed as shown in Article 1 of this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The reduced levy on imports into Portugal of raw sugar intended for refining (CN codes 1701 11 10 and 1701 12 10) is fixed for this quality type at ECU 18,28 per 100 kilograms.

Article 2

This Regulation shall enter into force on 1 June 1990.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 31 May 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.⁽²⁾ OJ No L 114, 27. 4. 1989, p. 1.⁽³⁾ OJ No L 58, 1. 3. 1986, p. 18.⁽⁴⁾ OJ No L 111, 1. 5. 1990, p. 10.

COMMISSION REGULATION (EEC) No 1470/90

of 31 May 1990

fixing the minimum levies on the importation of olive oil and levies on the importation of other olive oil sector products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 2902/89⁽²⁾, and in particular Article 16 (2) thereof,

Having regard to Council Regulation (EEC) No 1514/76 of 24 June 1976 on imports of olive oil originating in Algeria⁽³⁾, as last amended by Regulation (EEC) No 4014/88⁽⁴⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1521/76 of 24 June 1976 on imports of olive oil originating in Morocco⁽⁵⁾, as last amended by Regulation (EEC) No 4015/88⁽⁶⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1508/76 of 24 June 1976 on imports of olive oil originating in Tunisia⁽⁷⁾, as last amended by Regulation (EEC) No 413/86⁽⁸⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1180/77 of 17 May 1977 on imports into the Community of certain agricultural products originating in Turkey⁽⁹⁾, as last amended by Regulation (EEC) No 4016/88⁽¹⁰⁾, and in particular Article 10 (2) thereof,

Having regard to Council Regulation (EEC) No 1620/77 of 18 July 1977 laying down detailed rules for the importation of olive oil from Lebanon⁽¹¹⁾;

Whereas by Regulation (EEC) No 3131/78⁽¹²⁾, as amended by the Act of Accession of Greece, the Commission decided to use the tendering procedure to fix levies on olive oil;

Whereas Article 3 of Council Regulation (EEC) No 2751/78 of 23 November 1978 laying down general rules for fixing the import levy on olive oil by tender⁽¹³⁾ specifies that the minimum levy rate shall be fixed for each of the products concerned on the basis of the situation on the world market and the Community market and of the levy rates indicated by tenderers;

Whereas, in the collection of the levy, account should be taken of the provisions in the Agreements between the Community and certain third countries; whereas in particular the levy applicable for those countries must be fixed, taking as a basis for calculation the levy to be collected on imports from the other third countries;

Whereas application of the rules recalled above to the levy rates indicated by tenderers on 28 and 29 May 1990 leads to the minimum levies being fixed as indicated in Annex I to this Regulation;

Whereas the import levy on olives falling within CN codes 0709 90 39 and 0711 20 90 and on products falling within CN codes 1522 00 31, 1522 00 39 and 2306 90 19 must be calculated from the minimum levy applicable on the olive oil contained in these products; whereas, however, the levy charged for olive oil may not be less than an amount equal to .8 % of the value of the imported product, such amount to be fixed at a standard rate; whereas application of these provisions leads to the levies being fixed as indicated in Annex II to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The minimum levies on olive oil imports are fixed in Annex I.

Article 2

The levies applicable on imports of other olive oil sector products are fixed in Annex II.

Article 3

This Regulation shall enter into force on 1 June 1990.

⁽¹⁾ OJ No 172, 30. 9. 1966, p. 3025/66.

⁽²⁾ OJ No L 280, 29. 9. 1989, p. 2.

⁽³⁾ OJ No L 169, 28. 6. 1976, p. 24.

⁽⁴⁾ OJ No L 358, 27. 12. 1988, p. 1.

⁽⁵⁾ OJ No L 169, 28. 6. 1976, p. 43.

⁽⁶⁾ OJ No L 358, 27. 12. 1988, p. 2.

⁽⁷⁾ OJ No L 169, 28. 6. 1976, p. 9.

⁽⁸⁾ OJ No L 48, 26. 2. 1986, p. 1.

⁽⁹⁾ OJ No L 142, 9. 6. 1977, p. 10.

⁽¹⁰⁾ OJ No L 358, 27. 12. 1988, p. 3.

⁽¹¹⁾ OJ No L 181, 21. 7. 1977, p. 4.

⁽¹²⁾ OJ No L 370, 30. 12. 1978, p. 60.

⁽¹³⁾ OJ No L 331, 28. 11. 1978, p. 6.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 31 May 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX I

Minimum import levies on olive oil

(ECU/100 kg)

CN code	Non-member countries
1509 10 10	50,00 ⁽¹⁾
1509 10 90	50,00 ⁽¹⁾
1509 90 00	60,00 ⁽²⁾
1510 00 10	77,00 ⁽¹⁾
1510 00 90	122,00 ⁽³⁾

⁽¹⁾ For imports of oil falling within this CN code and produced entirely in one of the countries listed below and transported directly from any of those countries to the Community, the levy to be collected is reduced by :

- (a) Lebanon : ECU 0,60 per 100 kg ;
- (b) Tunisia : ECU 12,69 per 100 kg provided that the operator furnishes proof of having paid the export tax applied by that country ; however, the repayment may not exceed the amount of the tax in force ;
- (c) Turkey : ECU 22,36 per 100 kg provided that the operator furnishes proof of having paid the export tax applied by that country ; however, the repayment may not exceed the amount of the tax in force ;
- (d) Algeria and Morocco : ECU 24,78 per 100 kg provided that the operator furnishes proof of having paid the export tax applied by that country ; however, the repayment may not exceed the amount of the tax in force.

⁽²⁾ For imports of oil falling within this CN code :

- (a) produced entirely in Algeria, Morocco or Tunisia and transported directly from any of those countries to the Community, the levy to be collected is reduced by ECU 3,86 per 100 kg ;
- (b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by ECU 3,09 per 100 kg.

⁽³⁾ For imports of oil falling within this CN code :

- (a) produced entirely in Algeria, Morocco or Tunisia and transported directly from any of those countries to the Community, the levy to be collected is reduced by ECU 7,25 per 100 kg ;
- (b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by ECU 5,80 per 100 kg.

ANNEX II

Import levies on other olive oil sector products

(ECU/100 kg)

CN code	Non-member countries
0709 90 39	11,00
0711 20 90	11,00
1522 00 31	25,00
1522 00 39	40,00
2306 90 19	6,16

COMMISSION REGULATION (EEC) No 1471/90

of 31 May 1990

fixing the export refunds on olive oil

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats ⁽¹⁾, as last amended by Regulation (EEC) No 2902/89 ⁽²⁾,

Having regard to Council Regulation (EEC) No 1650/86 of 26 May 1986 on export refunds and levies on olive oil ⁽³⁾, and in particular the first sentence of Article 3 (1) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 20 of Regulation No 136/66/EEC provides that, where prices within the Community are higher than world market prices, the difference between these prices may be covered by a refund when olive oil is exported to third countries;

Whereas the detailed rules for fixing and granting export refunds on olive oil are contained in Regulation (EEC) No 1650/86 and Commission Regulation (EEC) No 616/72 ⁽⁴⁾, as last amended by Regulation (EEC) No 2962/77 ⁽⁵⁾;

Whereas the first indent of Article 2 of Regulation (EEC) No 1650/86 provides that the refund must be the same for the whole Community;

Whereas, in accordance with Article 4 of Regulation (EEC) No 1650/86, the refund for olive oil must be fixed in the light of the existing situation and outlook in relation to olive oil prices and availability on the Community market and olive oil prices on the world market;

Whereas, however, where the world market situation is such that the most favourable olive oil prices cannot be determined, account may be taken of the price of the main competing vegetable oils on the world market and the difference recorded between that price and the price of olive oil during a representative period;

Whereas the amount of the refund may not exceed the difference between the price of olive oil in the Community and that on the world market, adjusted, where appropriate, to take account of export costs for the products on the world market;

Whereas, in accordance with Article 5 of Regulation (EEC) No 1650/86, it may be decided that the refund shall be fixed by tender;

Whereas the tendering procedure should cover the amount of the refund and may be limited to certain countries of destination, quantities, qualities and presentations;

Whereas the second indent of Article 2 of Regulation (EEC) No 1650/86 provides that the refund on olive oil may be varied according to destination where the world market situation or the specific requirements of certain markets make this necessary;

Whereas, in view of the present circumstances in the German Democratic Republic and their effects on the market situation, no refund should be fixed for products to be exported to that destination;

Whereas Article 3 (1) of Regulation (EEC) No 1650/86 provides that the refund must be fixed at least once every month; whereas it may, if necessary, be altered in the intervening period;

Whereas it follows from applying these detailed rules to the present situation on the market in olive oil and in particular to olive oil prices within the Community and on the markets of third countries that the refund should be as set out in the Annex hereto;

Whereas, if the refund system is to operate normally, refunds should be calculated on the following basis:

— in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽⁶⁾, as last amended by Regulation (EEC) No 1636/87 ⁽⁷⁾,

⁽¹⁾ OJ No 172, 30. 9. 1966, p. 3025/66.

⁽²⁾ OJ No L 280, 29. 9. 1989, p. 2.

⁽³⁾ OJ No L 145, 30. 5. 1986, p. 8.

⁽⁴⁾ OJ No L 78, 31. 3. 1972, p. 1.

⁽⁵⁾ OJ No L 348, 30. 12. 1977, p. 53.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 153, 13. 6. 1987, p. 1.

— for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient;

Whereas, pursuant to Article 275 of the Act of Accession, refunds may be granted in the case of exports to Portugal; whereas, in the light of the situation and the level of prices no refund should be fixed in the case of exports to Portugal;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Oils and Fats,

HAS ADOPTED THIS REGULATION:

Article 1

1. The export refunds on the products listed in Article 1 (2) (c) of Regulation No 136/66/EEC shall be as set out in the Annex hereto.
2. No refund shall be fixed for such products exported to the German Democratic Republic.

Article 2

This Regulation shall enter into force on 1 June 1990.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 31 May 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 31 May 1990 fixing the export refunds on olive oil

(ECU/100 kg)

Product code	Amount of refund (1)
1509 10 90 100	63,50
1509 10 90 900	99,50
1509 90 00 100	72,40
1509 90 00 900	105,05
1510 00 90 100	15,50
1510 00 90 900	47,65

(1) For destinations mentioned in Article 5 of amended Commission Regulation (EEC) No 2730/79 (OJ No L 317, 12. 12. 1979, p. 1), as well as for exports to third countries.

NB: The product codes and the footnotes are defined in amended Commission Regulation (EEC) No 3846/87 (OJ No L 366, 24. 12. 1987, p. 1).

COMMISSION REGULATION (EEC) No 1472/90
of 31 May 1990

fixing the maximum export refunds on olive oil for the 13th partial invitation to tender under the standing invitation to tender issued by Regulation (EEC) No 3246/89

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats ⁽¹⁾, as last amended by Regulation (EEC) No 2902/89 ⁽²⁾,

Having regard to Council Regulation (EEC) No 1650/86 of 26 May 1986 on the refunds and levies applicable to exports of olive oil ⁽³⁾, and in particular Article 7 thereof,

Whereas Commission Regulation (EEC) No 3246/89 ⁽⁴⁾, issued a standing invitation to tender with a view to determining the export refunds on olive oil;

Whereas Article 7 of Regulation (EEC) No 3246/89 provides that maximum amounts are to be fixed for the export refunds in the light in particular of the current situation and foreseeable developments on the Community and world olive-oil markets and on the basis of the tenders received; whereas contracts are awarded to any tenderer who submits a tender at the level of the maximum refund or at a lower level;

Whereas, in view of the present circumstances in the German Democratic Republic and their effects on the

market situation, no refund should be fixed for products exported to that destination;

Whereas, for the purposes of applying the above-mentioned provisions, the maximum export refunds should be set at the levels specified in the Annex;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Oils and Fats,

HAS ADOPTED THIS REGULATION:

Article 1

1. The maximum export refunds for olive oil for the 13th partial invitation to tender under the standing invitation to tender issued by Regulation (EEC) No 3246/89 are hereby fixed in the Annex, on the basis of the tenders submitted by 23 May 1990.

Article 2

2. No refund shall be fixed for such products exported to the German Democratic Republic.

This Regulation shall enter into force on 1 June 1990.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 31 May 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No 172, 30. 9. 1966, p. 3025/66.

⁽²⁾ OJ No L 280, 29. 9. 1989, p. 2.

⁽³⁾ OJ No L 145, 30. 5. 1986, p. 8.

⁽⁴⁾ OJ No L 314, 28. 10. 1989, p. 48.

ANNEX

to the Commission Regulation of 31 May 1990 fixing the maximum export refunds on olive oil for the 13th partial invitation to tender under the standing invitation to tender issued by Regulation (EEC) No 3246/89

(ECU/100 kg)

Product code	Amount of refund
1509 10 90 100	65,00
1509 10 90 900	104,50
1509 90 00 100	74,01
1509 90 00 900	110,09
1510 00 90 100	17,00
1510 00 90 900	52,65

NB: The products codes and the footnotes are defined in amended Commission Regulation (EEC) No 3846/87 (OJ No L 366, 24. 12. 1987, p. 1).

COMMISSION REGULATION (EEC) No 1473/90

of 31 May 1990

fixing for June 1990 the levy applicable in Spain to products subject to the price control system

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Commission Regulation (EEC) No 1183/86 of 21 April 1986 laying down detailed rules for the system for controlling the prices and the quantities of certain products in the oils and fats sector released for consumption in Spain ⁽¹⁾, as last amended by Regulation (EEC) No 578/90 ⁽²⁾, and in particular Article 14 thereof,

Whereas Article 14 of Regulation (EEC) No 1183/86 provides that, for the period from 1 March 1986 to 31 December 1990, a levy is to be applied to imports into Spain of products subject to the price control system and to soya oil produced from imported beans and released for consumption; whereas that levy is to be fixed on the basis of the difference between, on the one hand, an ex factory price for crude soya oil of Pta 106 per kilogram and, on the other hand, the price of that oil on the world market, plus the duty charged in Spain on imports from third countries;

Whereas the Spanish system of compensation for vegetable oil prices applied prior to accession was supervised by a State organization; whereas therefore, the system providing for the said levy will make any further intervention by the State superfluous and thus preclude certain potential obstacles to trade, particularly in soya oil;

Whereas that levy should be as fixed hereinafter,

HAS ADOPTED THIS REGULATION:

Article 1

The levy referred to in Article 14 of Regulation (EEC) No 1183/86 shall be ECU 334,38 per tonne of oil for June 1990.

Article 2

This Regulation shall enter into force on 1 June 1990.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 31 May 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 107, 24. 4. 1986, p. 17.

⁽²⁾ OJ No L 59, 8. 3. 1990, p. 24.

COMMISSION REGULATION (EEC) No 1474/90
of 31 May 1990
fixing the export refunds on oil seeds

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 2902/89⁽²⁾,

Having regard to Council Regulation No 142/67/EEC of 21 June 1967 on export refunds on colza, rape and sunflower seeds⁽³⁾, as last amended by the Act of Accession of Greece, and in particular the first sentence of Article 2 (3) thereof,

Having regard to Council Regulation (EEC) No 1678/85 of 11 June 1985 fixing the conversion rates to be applied in agriculture⁽⁴⁾, as last amended by Regulation (EEC) No 1179/90⁽⁵⁾,

Having regard to Council Regulation (EEC) No 1569/72 of 20 July 1972 laying down special measures for colza, rape and sunflower seed⁽⁶⁾, as last amended by Regulation (EEC) No 2216/88⁽⁷⁾, and in particular Article 2 (3) thereof,

Having regard to Commission Regulation (EEC) No 2041/75 of 25 July 1975 on special detailed rules for the application of the system of import and export licences and advance fixing certificates for oils and fats⁽⁸⁾, as last amended by Regulation (EEC) No 2662/87⁽⁹⁾, and in particular Article 13 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas, the target price and the monthly increases in the target price for colza, rape and sunflower seed for the

1989/90 marketing year were fixed by Regulations (EEC) No 1228/89⁽¹⁰⁾ and (EEC) No 1229/89⁽¹¹⁾;

Whereas Article 28 of Regulation No 136/66/EEC provides that a refund may be granted on exports to third countries of oil seeds harvested within the Community; whereas the amount of this refund may not exceed the difference between prices within the Community and prices on the world market where the former are higher than the latter; whereas Article 21 of Regulation No 136/66/EEC provides that, at present, Article 28 of that Regulation applies only to colza, rape and sunflower seeds;

Whereas the refund for colza and rape seeds produced in Spain or Portugal is adjusted in accordance with Council Regulation (EEC) No 478/86⁽¹²⁾;

Whereas Article 3 of Regulation No 142/67/EEC provides that when the refund is being calculated account must be taken of prices ruling on the various Community markets which are representative from the point of view of processing and exportation; the most favourable quotations recorded on the various markets of importing third countries and costs incurred in placing the goods on the world market; whereas, when the amount of the refund is being fixed, account must also be taken of the level of market prices within the Community for the oil seeds referred to in Article 21 of Regulation No 136/66/EEC and the future trend of these prices; whereas, furthermore, account should be taken of the economic aspect of the proposed exports and the situation in the Community regarding the supply of and demand for these seeds;

Whereas the abatement of the subsidy for colza and rape seed which arises from the system of maximum guaranteed quantities for the 1989/90 marketing year has been fixed by Commission Regulation (EEC) No 2625/89⁽¹³⁾;

Whereas Article 1 of Commission Regulation (EEC) No 651/71 of 29 March 1971 on certain detailed rules for the application of export refunds on oil seeds⁽¹⁴⁾, as last amended by Regulation (EEC) No 1815/84⁽¹⁵⁾, provides that the amount of the refund must be calculated on the

⁽¹⁾ OJ No 172, 30. 9. 1966, p. 3025/66.

⁽²⁾ OJ No L 280, 29. 9. 1989, p. 2.

⁽³⁾ OJ No 125, 26. 6. 1967, p. 2461/67.

⁽⁴⁾ OJ No L 164, 24. 6. 1985, p. 11.

⁽⁵⁾ OJ No L 119, 11. 5. 1990, p. 1.

⁽⁶⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁷⁾ OJ No L 197, 26. 7. 1988, p. 10.

⁽⁸⁾ OJ No L 213, 11. 8. 1975, p. 1.

⁽⁹⁾ OJ No L 252, 3. 9. 1987, p. 6.

⁽¹⁰⁾ OJ No L 128, 11. 5. 1989, p. 20.

⁽¹¹⁾ OJ No L 128, 11. 5. 1989, p. 22.

⁽¹²⁾ OJ No L 53, 1. 3. 1986, p. 55.

⁽¹³⁾ OJ No L 254, 31. 8. 1989, p. 9.

⁽¹⁴⁾ OJ No L 75, 30. 3. 1971, p. 16.

⁽¹⁵⁾ OJ No L 170, 29. 6. 1984, p. 46.

basis of the weight of exported seeds ; whereas this weight must be adjusted to take account of any differences between the percentages of moisture and impurities found to exist and those used to define the standard quality for which the target price is fixed ; whereas, when this adjustment is being made, the weight of the exported seeds must be increased by the amount of the difference between the actual moisture and impurities content and that used to define the standard quality if the former is lower than the latter ; whereas, if the opposite applies, the weight of the exported seeds must be reduced by the same amount ;

Whereas the standard quality referred to above was defined in Article 2 of Council Regulation (EEC) No 1102/84 ⁽¹⁾ ;

Whereas Article 2 of Regulation No 142/67/EEC provides that the refund may be varied according to destination where the world market situation or the specific requirements of certain markets make this necessary ;

Whereas Article 4 of Regulation (EEC) No 651/71 provides for the publication of the amount of the final refund obtained from the conversion into each of the national currencies of the amount of the refund in ecus plus or minus the differential amount ; whereas Article 1 of Commission Regulation (EEC) No 1813/84 ⁽²⁾, as last amended by Regulation (EEC) No 431/89 ⁽³⁾, defined the elements which determine the differential amounts ; whereas these elements are equal to the incidence on the target price reduced by 7,5 % or the refund of the coefficient derived from the percentage referred to in Article 2 (1) of Regulation (EEC) No 1569/72 ; whereas, according to these provisions, this percentage represents :

- (a) for those Member States whose currencies are maintained as between themselves within a spread at any given moment of 2,25 %, the difference between :
- the conversion rate used under the common agricultural policy, and
 - the conversion rate resulting from the central rate ;
- (b) for the other Member States, the difference between :
- the relationship between the conversion rate used under the common agricultural policy for the currency of the Member State concerned and the central rate of each of the currencies of the Member States referred to in (a), and
 - the spot market rate for the currency of the Member State in question in relation to each of the currencies of the Member States referred to in (a), as recorded over a period to be determined ;

Whereas pursuant to Article 2 (2) of Regulation (EEC) No 1569/72 forward differential amounts are to be deter-

mined where the forward exchange rate for one or more currencies differs from the spot rate by at least a given percentage ; whereas this percentage has been fixed at 0,5 by Regulation (EEC) No 1813/84 ;

Whereas Regulation (EEC) No 1813/84 specifies the spot and forward exchange rates and the period to be used for calculating the differential amounts ; whereas in cases where, for one or more months, quotations of forward exchange rates are not available, the rates adopted for the previous months or the following months, as the case may be, must be used ;

Whereas it follows from applying these provisions to the current situation of the oil seeds market and to the rates or prices of these products that, pursuant to Article 4 of Regulation (EEC) No 651/71, the amount of the refund in ecus and the amount of the final refund in each of the national currencies must, in the case of colza and rape seed, be fixed in accordance with the Annex to this Regulation ; whereas it is not necessary to fix a refund for sunflower seed ;

Whereas, in view of the present circumstances in the German Democratic Republic and their effects on the market situation, no refund should be fixed for products to be exported to that destination ;

Whereas Article 13 of Regulation (EEC) No 2041/75 makes provision for the period of validity of certificates fixing refunds in advance to be reduced if the market situation warrants ; whereas in the interests of sound market management a reduction should be made ;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Oils and Fats,

HAS ADOPTED THIS REGULATION :

Article 1

1. In the case of colza and rape seed, the amounts of the refund referred to in Article 4 (1) of Regulation (EEC) No 651/71 shall be as set out in the Annex hereto.
2. No refund shall be fixed for such products exported to the German Democratic Republic.
3. There shall be no refund on sunflower seed.
4. Certificates fixing the export refund in advance shall be valid from their date of issue until the end of the following month.

Article 2

This Regulation shall enter into force on 1 June 1990.

⁽¹⁾ OJ No L 113, 28. 4. 1984, p. 8.

⁽²⁾ OJ No L 170, 29. 6. 1984, p. 41.

⁽³⁾ OJ No L 50, 22. 2. 1989, p. 7.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 31 May 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 31 May 1990 fixing the export refunds on oil seeds

(amounts per 100 kilograms)

	Current 6	1st period 7 ⁽¹⁾	2nd period 8	3rd period 9	4th period 10	5th period 11
1. Gross refunds (ECU):						
— Spain	20,830	19,464	—	—	—	—
— Portugal	24,300	22,274	—	—	—	—
— other Member States	23,000	20,974	—	—	—	—
2. Final refunds:						
Seeds harvested and exported from:						
— Federal Republic of Germany (DM)	54,64	49,44	—	—	—	—
— Netherlands (Fl)	60,67	55,33	—	—	—	—
— BLEU (Bfrs/Lfrs)	1 110,60	1 012,77	—	—	—	—
— France (FF)	174,45	164,68	—	—	—	—
— Denmark (Dkr)	205,39	187,30	—	—	—	—
— Ireland (£ Irl)	19,416	18,329	—	—	—	—
— United Kingdom (£)	14,116	15,537	—	—	—	—
— Italy (Lit)	38 227	36 740	—	—	—	—
— Greece (Dr)	3 762,92	4 296,77	—	—	—	—
— Spain (Pta)	3 281,24	3 071,96	—	—	—	—
— Portugal (Esc)	4 734,13	4 608,54	—	—	—	—

⁽¹⁾ Subject to the abatement resulting from the system of maximum guaranteed quantities for the 1990/91 marketing year.

COMMISSION REGULATION (EEC) No 1475/90

of 31 May 1990

fixing the amount of the subsidy on oil seeds

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 2902/89⁽²⁾, and in particular Article 27 (4) thereof,

Having regard to Council Regulation (EEC) No 1678/85⁽³⁾ fixing the conversion rates to be applied in agriculture, as last amended by Regulation (EEC) No 1179/90⁽⁴⁾,

Having regard to Council Regulation (EEC) No 1569/72 of 20 July 1972 laying down special measures for colza, rape and sunflower seed⁽⁵⁾, as last amended by Regulation (EEC) No 2216/88⁽⁶⁾, and in particular Article 2 (3) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 27 of Regulation No 136/66/EEC provides that a subsidy should be granted in respect of oil seeds harvested and processed within the Community when the target price for a species of seed is higher than the price on the world market; whereas these provisions at present apply only in respect of colza, rape and sunflower seeds;

Whereas the subsidy on oil seeds should, theoretically, be equal to the difference between those two prices;

Whereas the target price and the monthly increases in the target price for colza, rape and sunflower seed for the 1989/90 marketing year were fixed by Council Regulations (EEC) No 1228/89⁽⁷⁾ and (EEC) No 1229/89⁽⁸⁾;

Whereas the target price and the monthly increases in the target price for colza, rape and sunflower seed for the 1990/91 marketing year were fixed by Council Regulations (EEC) No 1317/90⁽⁹⁾ and (EEC) No 1318/90⁽¹⁰⁾;

Whereas a supplement to the target price for 'double zero' colza and rape seed was fixed in Regulation (EEC) No 1228/89 for the 1989/90 marketing year and by Regulation (EEC) No 1317/90 for the 1990/91 marketing year;

Whereas the standard quality for sunflower seed has been maintained by the Council for the 1989/90 and 1990/91

marketing years; whereas the coefficients of equivalence applied to the prices of sunflower seed from third countries have been fixed by Commission Regulation No 225/67/EEC⁽¹¹⁾, as last amended by Regulation (EEC) No 2869/87⁽¹²⁾;

Whereas the target price fixed by the Council is to be reduced in accordance with Article 2 of Commission Regulation (EEC) No 784/90 of 29 March 1990 fixing the reducing coefficient for agricultural prices in the 1990/91 marketing year as a result of the monetary realignment of 5 January 1990 and amending the prices and amounts fixed in ecus for that marketing year⁽¹³⁾;

Whereas the abatement of the subsidy for colza and rape seed which arises from the system of maximum guaranteed quantities for the 1989/90 marketing year has been fixed by Commission Regulation (EEC) No 2625/89⁽¹⁴⁾;

Whereas the abatement of the subsidy for sunflower seed which arises, where appropriate, from the system of maximum guaranteed quantities for the 1989/90 marketing year, has been fixed by Commission Regulation (EEC) No 2957/89⁽¹⁵⁾;

Whereas the abatement of the subsidy which arises, where appropriate, from the system of maximum guaranteed quantities for the 1990/91 marketing year, has not yet been fixed; whereas the amount of the subsidy for the 1990/91 marketing year has been calculated provisionally on the basis of the abatement for the 1989/90 marketing year;

Whereas Article 29 of Regulation No 136/66/EEC provides that the world market price, calculated for a Community frontier crossing point, is to be determined on the basis of the most favourable purchasing opportunities, quotations being adjusted where necessary to take account of quotations for competing products;

Whereas Article 4 of Council Regulation No 115/67/EEC of 6 June 1967 laying down criteria for determining world market prices for oil seeds and fixing the frontier crossing point⁽¹⁶⁾, as last amended by Regulation (EEC) No 1983/82⁽¹⁷⁾, fixed the said crossing point at Rotterdam; whereas Article 1 of that Regulation provides that when the world market price is being determined account should be taken of all offers on the world market known to the Commission and of quotations on those exchanges which are significant for international trade; whereas Article 2 of Regulation No 225/67/EEC provides

⁽¹⁾ OJ No 172, 30. 9. 1966, p. 3025/66.

⁽²⁾ OJ No L 280, 29. 9. 1989, p. 2.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 11.

⁽⁴⁾ OJ No L 119, 11. 5. 1990, p. 1.

⁽⁵⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁶⁾ OJ No L 197, 26. 7. 1988, p. 10.

⁽⁷⁾ OJ No L 128, 11. 5. 1989, p. 20.

⁽⁸⁾ OJ No L 128, 11. 5. 1989, p. 22.

⁽⁹⁾ OJ No L 132, 23. 5. 1990, p. 9.

⁽¹⁰⁾ OJ No L 132, 23. 5. 1990, p. 11.

⁽¹¹⁾ OJ No 136, 30. 6. 1967, p. 2919/67.

⁽¹²⁾ OJ No L 273, 26. 9. 1987, p. 16.

⁽¹³⁾ OJ No L 83, 30. 3. 1990, p. 102.

⁽¹⁴⁾ OJ No L 254, 31. 8. 1989, p. 9.

⁽¹⁵⁾ OJ No L 281, 30. 9. 1989, p. 91.

⁽¹⁶⁾ OJ No 111, 10. 6. 1967, p. 2196/67.

⁽¹⁷⁾ OJ No L 215, 23. 7. 1982, p. 6.

that offers and quotations which do not relate to shipments to be effected within 30 days following the date on which the world market price is determined should be disregarded; whereas offers and quotations which the Commission believes, in view of general price movements or information available to it, not to be representative of the real trend of the market must also be disregarded; whereas offers and quotations relating to quantities of less than 500 tonnes and offers relating to seed of a quality other than that normally acceptable on the world market must also be disregarded;

Whereas Article 3 of Regulation No 225/67/EEC provides that of the offers and quotations taken into consideration, those for delivery c and f should be increased by 0,2 %; whereas offers and quotations for delivery fas, fob or otherwise should be increased, as appropriate, by loading, transport and insurance costs from the point of shipment or loading to the frontier crossing point; whereas cif offers and quotations for frontier crossing points other than Rotterdam should be adjusted to allow for the difference in transport and insurance costs as compared with a product delivered cif Rotterdam; whereas the Commission should take account only of the loading, transport and insurance costs which to its knowledge are the lowest; whereas, finally, offers and quotations for delivery cif Rotterdam should be increased by ECU 0,242;

Whereas Article 5 of Regulation No 115/67/EEC provides that the world market price should be determined for seed of the standard quality for which the target price has been fixed, delivered in bulk;

Whereas Article 3 of Regulation No 225/67/EEC provides that offers and quotations relating to products presented otherwise than in bulk should be adjusted by deducting the additional value resulting from that presentation; whereas offers and quotations relating to a quality other than the standard quality for which the target price was fixed should be adjusted on the basis of the coefficients of equivalence shown in the Annex to that Regulation; whereas, in the case of offers on the world market for qualities of colza and rape seed other than those listed in that Annex, coefficients of equivalence derived from those listed in that Annex may, pursuant to Article 4 of Regulation No 225/67/EEC, be applied; whereas, when derived coefficients are being calculated, account must be taken of the differences between prices for the qualities of seed in question and prices for the qualities listed in that Annex, and of the characteristics of these various seeds;

Whereas Article 2 of Regulation No 115/67/EEC provides that, where no offer or quotation can be used as a basis for determining the world market price, that price should be determined on the basis of the value of the average quantities of oil and oil cake resulting from the processing of 100 kilograms of seed within the Community less an amount corresponding to the cost of processing these seeds into oil and oil cake; whereas the quantities and costs to be taken into consideration for the purposes of the calculation are fixed in Article 5 of Regulation No 225/67/EEC; whereas the value of those quantities should be determined in accordance with Article 6 of that Regulation;

Whereas Article 3 of Regulation No 115/67/EEC provides that, where no offer or quotation can be used as a basis for determining the world market price and where it is, moreover, impossible to establish the value of the oil or oil cake processed from such seed, the world market price should be determined on the basis of the most recent known value for oil or oil cake, adjusted to take account of the trend of world prices for competing products by applying to that value the rules set out in Article 2 of Regulation No 115/67/EEC; whereas Article 7 of Regulation No 225/67/EEC defines competing products as those oils or oil cakes, as the case may be, which appear to have been offered in the largest quantities on the world market during the period under consideration;

Whereas, under Article 6 of Regulation No 115/67/EEC, the price determined for colza, rape and sunflower seeds must also be adjusted by an amount not exceeding the margin, as calculated in accordance with that Article, where that margin may affect the normal disposal of seeds harvested in the Community;

Whereas Council Regulation (EEC) No 1594/83 of 14 June 1983 on the subsidy for oil seeds⁽¹⁾, as last amended by Regulation (EEC) No 1321/90⁽²⁾, laid down rules for granting the subsidy on oil seeds; whereas, under that Regulation, where the subsidy to be granted is fixed in advance, the amount of such subsidy must be equal to the amount applicable on the day on which the application for advance fixing was lodged, adjusted by the difference between the target price valid on that day and the target price valid on the day on which the seeds are placed under control at an oil or feed mill and, where appropriate, a corrective amount; whereas Article 35 of Commission Regulation (EEC) No 2681/83 of 21 September 1983 laying down detailed rules for the application of the subsidy system for oil seeds⁽³⁾, as last amended by Regulation (EEC) No 534/90⁽⁴⁾, provides that such adjustment should involve increasing or reducing the amount of subsidy applicable on the day on which the application was lodged by the corrective amount and the difference between the target prices mentioned in Article 35 of Regulation (EEC) No 2681/83;

Whereas Article 37 of Regulation (EEC) No 2681/83 provides that the corrective amount must be equal to the difference between the world market price for colza, rape and sunflower seeds and the forward price for those seeds valid for a shipment effected during the month in which the seeds were placed under control at an oil mill, those prices being determined in accordance with Articles 1, 4 and 5 of Regulation No 115/67/EEC; whereas, if no offer and no price can be used for such determination, the method of calculation provided for in Article 37 of Regulation (EEC) No 2681/83 should be used; whereas the abovementioned difference may be adjusted in accordance

⁽¹⁾ OJ No L 163, 22. 6. 1983, p. 44.

⁽²⁾ OJ No L 132, 23. 5. 1990, p. 15.

⁽³⁾ OJ No L 266, 28. 9. 1983, p. 1.

⁽⁴⁾ OJ No L 55, 2. 3. 1990, p. 8.

with Article 38 of Regulation (EEC) No 2681/83, account being taken of the prices of the main competing cereals ;

Whereas the aid for colza, rape or sunflower seed harvested or processed in Spain or Portugal is to be advised as provided for in Council Regulation (EEC) No 478/86 ⁽¹⁾; whereas pursuant to Article 95 (2) and 293 (2) of the Act of Accession this aid is to be introduced at the beginning of the 1986/87 marketing year for seed harvested in these two Member States ;

Whereas, in Article 14 of Council Regulation (EEC) No 475/86 of 25 February 1986 laying down general rules for the mechanism for controlling the prices and the quantities of certain products in the oils and fats sector released for consumption in Spain ⁽²⁾, as last amended by Regulation (EEC) No 387/90 ⁽³⁾, provision is made for the granting of compensatory aid, subject to certain conditions ; whereas compensatory aid should be fixed for sunflower seeds harvested in Spain ;

Whereas Council Regulation (EEC) No 1920/87 ⁽⁴⁾, provides for the granting of a special subsidy for sunflower seed harvested and processed in Portugal ; whereas the amount of this subsidy should be fixed ;

Whereas Article 33 of Regulation (EEC) No 2681/83 provides for the publication of the amount of the final subsidy obtained from the conversion into each of the national currencies of the amount in ecus resulting from the calculation referred to above plus or minus the differential amount ; whereas Article 1 of Commission Regulation (EEC) No 1813/84 ⁽⁵⁾, as last amended by Regulation (EEC) No 431/89 ⁽⁶⁾, defined the elements which determine the differential amounts ; whereas these elements are equal to the incidence on the target price less percentage referred to in Article 5, paragraph 1 of the said regulation or the subsidy of the coefficient derived from the percentage referred to in Article 2 (1) of Regulation (EEC) No 1569/72 ; whereas, according to these provisions, this percentage represents :

- (a) for those Member States whose currencies are maintained as between themselves within a spread at any given moment of 2,25 %, the difference between :
- the conversion rate used under the common agricultural policy, and
 - the conversion rate resulting from the central rate ;
- (b) for the other Member States, the difference between :
- the relationship between the conversion rate used under the common agricultural policy for the currency of the Member State concerned and the

central rate of each of the currencies of the Member States referred to in (a), and

- the spot market rate for the currency of the Member State in question in relation to each of the currencies of the Member States referred to in (a), as recorded over a period to be determined ;

Whereas Regulation (EEC) No 1813/84 specifies the spot and forward exchange rates and the period to be used for calculating the differential amounts ; whereas in cases where, for one or more months, quotations of forward exchange rates are not available, the rates adopted for the previous months or the following months, as the case may be, must be used ;

Whereas the subsidy should be fixed whenever the market situation makes it necessary and in such a way as to ensure its being applied at least once a week ; whereas the subsidy may be altered whenever it becomes obvious that such alteration is necessary ;

Whereas it follows from applying these provisions to the offers and quotations known to the Commission that, pursuant to Article 33 of Regulation (EEC) No 2681/83 the amount of the subsidy in ecus and the amount of the subsidy in each of the national currencies must be fixed in accordance with the Annex to this Regulation ; whereas, pursuant to the same Article, the spot and forward exchange rates for the ecu in national currencies determined in accordance with Article 4 of Regulation (EEC) No 1813/84 must also be published,

HAS ADOPTED THIS REGULATION :

Article 1

1. The amounts of the subsidy and the exchange rates referred to in Article 33 (2) and (3) of Regulation (EEC) No 2681/83 shall be as set out in the Annexes hereto.
2. The amount of the compensatory aid referred to in Article 14 of Regulation (EEC) No 475/86 shall be as shown in Annex III to this Regulation for sunflower seed harvested in Spain.
3. The amount of the special subsidy provided for by Regulation (EEC) 1920/87 for sunflower seed harvested and processed in Portugal is fixed in Annex III.
4. However, the amount of the subsidy in the case of advance fixing for the 1990/91 marketing year for colza, rape and sunflower will be confirmed or replaced as from 1 June 1990 to take into account the application of the system of maximum guaranteed quantities for colza and rape seed for the 1990/91 marketing year.

Article 2

This Regulation shall enter into force on 1 June 1990.

⁽¹⁾ OJ No L 53, 1. 3. 1986, p. 55.

⁽²⁾ OJ No L 53, 1. 3. 1986, p. 47.

⁽³⁾ OJ No L 42, 16. 2. 1990, p. 8.

⁽⁴⁾ OJ No L 183, 3. 7. 1987, p. 18.

⁽⁵⁾ OJ No L 170, 29. 6. 1984, p. 41.

⁽⁶⁾ OJ No L 50, 22. 2. 1989, p. 7.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 31 May 1990.

For the Commission
Ray MAC SHARRY
Member of the Commission

ANNEX I

Aids to colza and rape seed other than 'double zero'

(amounts per 100 kg)

	Current 6	1st period 7 (*)	2nd period 8 (*)	3rd period 9 (*)	4th period 10 (*)	5th period 11 (*)
1. Gross aids (ECU):						
— Spain	1,170	1,750	1,750	1,750	1,750	1,750
— Portugal	0,000	0,000	0,000	0,000	0,000	0,000
— Other Member States	28,049	20,000	20,000	20,000	20,000	20,000
2. Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	66,46	46,82	46,82	46,84	46,84	47,03
— Netherlands (Fl)	73,99	52,76	52,76	52,78	52,78	53,01
— BLEU (Bfrs/Lfrs)	1 354,40	965,74	965,74	965,74	965,74	965,74
— France (FF)	214,13	157,04	157,04	157,04	157,04	157,04
— Denmark (Dkr)	250,48	178,60	178,60	178,60	178,60	178,60
— Ireland (£ Irl)	23,833	17,478	17,478	17,478	17,478	17,469
— United Kingdom (£)	18,326	14,731	14,695	14,645	14,645	14,493
— Italy (Lit)	47 084	35 033	35 033	35 033	35 033	34 990
— Greece (Dr)	4 936,97	4 070,53	4 018,93	3 963,04	3 963,04	3 818,54
(b) Seed harvested in Spain and processed:						
— in Spain (Pta)	178,89	267,57	267,57	267,57	267,57	267,57
— in another Member State (Pta)	4 023,45	2 928,51	2 924,27	2 915,26	2 915,26	2 891,10
(c) Seed harvested in Portugal and processed:						
— in Portugal (Esc)	0,00	0,00	0,00	0,00	0,00	0,00
— in another Member State (Esc)	5 801,27	4 427,70	4 412,46	4 392,36	4 392,36	4 333,68

(*) Subject to the abatement resulting from the system of maximum guaranteed quantities for the 1990/91 marketing year.

ANNEX II

Aids to colza and rape seed 'double zero'

(amounts per 100 kg)

	Current 6	1st period 7 ⁽¹⁾	2nd period 8 ⁽¹⁾	3rd period 9 ⁽¹⁾	4th period 10 ⁽¹⁾	5th period 11 ⁽¹⁾
1. Gross aids (ECU):						
— Spain	3,670	4,250	4,250	4,250	4,250	4,250
— Portugal	2,500	2,500	2,500	2,500	2,500	2,500
— Other Member States	30,549	22,500	22,500	22,500	22,500	22,500
2. Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	72,36	52,68	52,68	52,70	52,70	52,88
— Netherlands (Fl)	80,58	59,35	59,35	59,37	59,37	59,60
— BLEU (Bfrs/Lfrs)	1 475,12	1 086,46	1 086,46	1 086,46	1 086,46	1 086,46
— France (FF)	233,38	176,67	176,67	176,67	176,67	176,67
— Denmark (Dkr)	272,80	200,93	200,93	200,93	200,93	200,93
— Ireland (£ Irl)	25,975	19,663	19,663	19,663	19,663	19,653
— United Kingdom (£)	20,087	16,680	16,644	16,594	16,594	16,441
— Italy (Lit)	51 334	39 413	39 413	39 413	39 413	39 369
— Greece (Dr)	5 416,91	4 613,88	4 562,29	4 506,40	4 506,40	4 361,90
(b) Seed harvested in Spain and processed:						
— in Spain (Pta)	561,13	649,81	649,81	649,81	649,81	649,81
— in another Member State (Pta)	4 405,69	3 310,75	3 306,51	3 297,50	3 297,50	3 273,34
(c) Seed harvested in Portugal and processed:						
— in Portugal (Esc)	499,40	517,26	517,26	517,26	517,26	517,26
— in another Member State (Esc)	6 300,68	4 944,96	4 929,72	4 909,61	4 909,61	4 850,94

⁽¹⁾ Subject to the abatement resulting from the system of maximum guaranteed quantities for the 1990/91 marketing year.

ANNEX III

Aids to sunflower seed

(amounts per 100 kg)

	Current 6	1st period 7	2nd period 8 (1)	3rd period 9 (1)	4th period 10 (1)
1. Gross aids (ECU):					
— Spain	6,890	6,890	8,600	8,600	8,600
— Portugal	0,000	0,000	0,000	0,000	0,000
— Other Member States	37,106	36,906	27,000	27,000	26,916
2. Final aids:					
(a) Seed harvested and processed in (2):					
— Federal Republic of Germany (DM)	87,86	87,39	63,21	63,23	63,04
— Netherlands (Fl)	97,88	97,35	71,22	71,25	71,03
— BLEU (Bfrs/Lfrs)	1 791,73	1 782,08	1 303,75	1 303,75	1 299,69
— France (FF)	283,71	282,14	212,00	212,00	211,34
— Denmark (Dkr)	331,36	329,57	241,11	241,11	240,36
— Ireland (£ Irl)	31,576	31,401	23,595	23,595	23,522
— United Kingdom (£)	24,589	24,423	20,019	19,961	19,891
— Italy (Lit)	62 432	62 082	47 295	47 295	47 148
— Greece (Dr)	6 639,04	6 568,13	5 491,44	5 427,22	5 407,16
(b) Seed harvested in Spain and processed:					
— in Spain (Pta)	1 053,45	1 053,45	1 314,91	1 314,91	1 314,91
— in another Member State (Pta)	4 716,64	4 687,18	3 486,85	3 476,29	3 463,86
(c) Seed harvested in Portugal and processed:					
— in Portugal (Esc)	0,00	0,00	0,00	0,00	0,00
— in Spain (Esc)	8 225,02	8 182,71	6 455,00	6 431,68	6 413,74
— in another Member State (Esc)	8 045,25	8 003,87	6 313,91	6 291,10	6 273,55
3. Compensatory aids:					
— in Spain (Pta)	4 692,48	4 663,02	3 460,64	3 450,08	3 436,83
4. Special aid:					
— in Portugal (Esc)	8 045,25	8 003,87	6 313,91	6 291,10	6 273,55

(1) Subject to the abatement resulting from the system of maximum guaranteed quantities for the 1990/91 marketing year.

(2) For seed harvested in the Community as constituted at 31 December 1985 and processed in Spain, the amounts shown in 2 (a) to be multiplied by 1,0223450.

ANNEX IV

Exchange rate of the ecu to be used for converting final aids into the currency of the processing country when the latter is a country other than the country of production

(value of ECU 1)

	Current 6	1st period 7	2nd period 8	3rd period 9	4th period 10	5th period 11
DM	2,053510	2,049520	2,045770	2,042220	2,042220	2,033130
Fl	2,309960	2,305570	2,301420	2,297290	2,297290	2,286400
Bfrs/Lfrs	42,282400	42,265400	42,245100	42,218900	42,218900	42,113100
FF	6,910010	6,906230	6,902570	6,899370	6,899370	6,888930
Dkr	7,817830	7,819000	7,820770	7,820260	7,820260	7,818840
£Irl	0,765837	0,765922	0,766544	0,766910	0,766910	0,770115
£	0,724759	0,727505	0,730244	0,732860	0,732860	0,740032
Lit	1 507,84	1 509,85	1 511,39	1 512,86	1 512,86	1 517,45
Dr	201,70000	204,75300	207,43100	210,33200	210,33200	217,46600
Esc	180,64500	181,43400	182,30000	183,29200	183,29200	186,12400
Pta	127,96300	128,38000	128,79900	129,21600	129,21600	130,37400

COMMISSION REGULATION (EEC) No 1476/90

of 31 May 1990

fixing the amount of aid for peas, field beans and sweet lupins

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 1431/82 of 18 May 1982 laying down special measures for peas, field beans and sweet lupins ⁽¹⁾, as last amended by Regulation (EEC) No 1104/88 ⁽²⁾, and in particular Article 3 (6) (a) thereof,

Having regard to Commission Regulation (EEC) No 3540/85 of 5 December 1985 laying down detailed rules for the application of the special measures for peas, field beans and sweet lupins ⁽³⁾, as last amended by Regulation (EEC) No 3870/88 ⁽⁴⁾, and in particular Article 26a (7) thereof,

Whereas, as provided for in Article 3 (1) of Regulation (EEC) No 1431/82, aid is granted for peas, field beans and sweet lupins harvested in the Community and used in the manufacture of feedingstuffs where the world market price of soya cake is lower than the activating price; whereas this aid is equal to a proportion of the difference between these prices; whereas this proportion of the price difference was fixed in Article 3a of Council Regulation (EEC) No 2036/82 ⁽⁵⁾, as last amended by Regulation (EEC) No 1190/90 ⁽⁶⁾;

Whereas, in accordance with Article 3 (2) of Regulation (EEC) No 1431/82, aid is granted for peas and field beans harvested in the Community where the world market price for these products is lower than the guide price; whereas this aid is equal to the difference between the two prices;

Whereas the threshold price activating the aid for peas, field beans and sweet lupins for the 1990/91 marketing year was fixed by Council Regulation (EEC) No 1189/90 ⁽⁷⁾; whereas, as provided for in Article 2a of Regulation (EEC) No 1431/82, the activating price for the aid for peas, field beans and sweet lupins is increased monthly as from the beginning of the third month of the

marketing year; whereas the amount of the monthly increases in the threshold price was fixed by Council Regulation (EEC) No 1191/90 ⁽⁸⁾;

Whereas the abatement of the subsidy which arises, where appropriate, from the system of maximum guaranteed quantities for the 1990/91 marketing year, has not, to date, been fixed; whereas the amount of the subsidy for the 1990/91 marketing year has been provisionally calculated on the basis of the abatement applicable for the marketing year 1989/90;

Whereas the threshold price activating the aid, the guide price and the minimum price fixed by the Council are to be reduced in accordance with Article 2 of Commission Regulation (EEC) No 784/90 of 29 March 1990 fixing the reducing coefficient for agricultural prices in the 1990/91 marketing year as a result of the monetary realignment of 5 January 1990 and amending the prices and amounts fixed in ecus for that marketing year ⁽⁹⁾;

Whereas, pursuant to Article 4 of Regulation (EEC) No 1431/82, the world market price for soya cake must be determined on the basis of the most favourable purchase possibilities, excepting offers and quotations which cannot be considered representative of the real market trend; whereas account must be taken both of all offers on the world market and of the prices quoted on exchanges that are important for international trade; whereas this price is adjusted under the conditions and in the manner specified in Article 1 (2) of Regulation (EEC) No 2036/82, in order to take account of the prices of competing products in the case of field beans intended for animal feed;

Whereas, pursuant to Article 1 of Commission Regulation (EEC) No 2049/82 ⁽¹⁰⁾, as last amended by Regulation (EEC) No 1238/87 ⁽¹¹⁾, the price must be determined per 100 kilograms of bulk soya cake of the standard quality defined in Article 1 (2) of Council Regulation (EEC) No 1464/86 ⁽¹²⁾ delivered to Rotterdam; whereas the necessary adjustments, notably those referred to in Article 2 of Regulation (EEC) No 2049/82, must be made for offers and quotations not of the type referred to above;

Whereas, if the aid system is to operate normally, refunds should be calculated on the following basis:

⁽¹⁾ OJ No L 162, 12. 6. 1982, p. 28.

⁽²⁾ OJ No L 110, 29. 4. 1988, p. 16.

⁽³⁾ OJ No L 342, 19. 12. 1985, p. 1.

⁽⁴⁾ OJ No L 345, 14. 12. 1988, p. 21.

⁽⁵⁾ OJ No L 219, 28. 7. 1982, p. 1.

⁽⁶⁾ OJ No L 119, 11. 5. 1990.

⁽⁷⁾ OJ No L 119, 11. 5. 1990.

⁽⁸⁾ OJ No L 119, 11. 5. 1990.

⁽⁹⁾ OJ No L 83, 30. 3. 1990, p. 102.

⁽¹⁰⁾ OJ No L 219, 28. 7. 1982, p. 36.

⁽¹¹⁾ OJ No L 117, 5. 5. 1987, p. 9.

⁽¹²⁾ OJ No L 133, 21. 5. 1986, p. 21.

- in the case of currencies which are maintained in relation to each other at any moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the correcting factor provided for in the last subparagraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽¹⁾, as last amended by Regulation (EEC) No 1636/87 ⁽²⁾,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid correcting factor ;

Whereas pursuant to Articles 121 (2) and 307 (2) of the Act of Accession the amount of the aid for products harvested and processed in either of these Member States should be reduced by the customs duty charged on importation of products from third countries ; whereas, moreover, in the case of sweet lupins harvested in Spain it must be reduced by the difference between the activating threshold price applied in Spain and the common price ;

Whereas the world market price for peas and field beans and the amount of aid referred to in Article 3 (2) of Regulation (EEC) No 1431/82 were fixed by Commission Regulation (EEC) No 1938/89 ⁽³⁾ ; whereas in terms of Article 2a of Regulation (EEC) No 1431/82 the guide price is increased monthly as from the beginning of the third month of the marketing year ;

Whereas, pursuant to Article 26a of Regulation (EEC) No 3540/85, the gross aid expressed in ecus that results from Article 3 of Regulation (EEC) No 1431/82 shall be

weighted by the differential amount referred to in Article 12a of Regulation (EEC) No 2036/82 and then converted into the final aid in the currency of the Member State in which the products are harvested using the agricultural conversion rate of that Member State ;

Whereas the abatement of the subsidy which arises, where appropriate, from the system of maximum guaranteed quantities for the 1989/90 marketing year, has been fixed by Regulation (EEC) No 2656/89 ⁽⁴⁾,

HAS ADOPTED THIS REGULATION :

Article 1

1. The amounts of aid provided for in Article 3 of Regulation (EEC) No 1431/82 is indicated in the Annexes hereto.

2. However, the amount of the subsidy in the case of advance fixing for the 1990/91 marketing year for peas, field beans and sweet lupins will be confirmed or replaced as from 1 June 1990 to take into account, the application of maximum guaranteed quantities for the marketing year 1990/91.

Article 2

This Regulation shall enter into force on 1 June 1990.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 31 May 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽²⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽³⁾ OJ No L 187, 1. 7. 1989, p. 68.

⁽⁴⁾ OJ No L 255, 1. 9. 1989, p. 71.

ANNEX I

Gross aid

Products intended for human consumption :

(ECU per 100 kg)

	Current 6	1st period 7 (!)	2nd period 8 (!)	3rd period 9 (!)	4th period 10 (!)	5th period 11 (!)	6th period 12 (!)
Peas used :							
— in Spain	6,896	5,582	5,582	5,740	5,898	6,056	6,214
— in Portugal	6,928	5,614	5,614	5,772	5,930	6,088	6,246
— in another Member State	7,164	5,850	5,850	6,008	6,166	6,324	6,482
Field beans used :							
— in Spain	7,164	5,850	5,850	6,008	6,166	6,324	6,482
— in Portugal	6,928	5,614	5,614	5,772	5,930	6,088	6,246
— in another Member State	7,164	5,850	5,850	6,008	6,166	6,324	6,482

Products used in animal feed :

(ECU per 100 kg)

	Current 6	1st period 7 (!)	2nd period 8 (!)	3rd period 9 (!)	4th period 10 (!)	5th period 11 (!)	6th period 12 (!)
A. Peas used :							
— in Spain	12,236	10,940	10,940	11,097	11,255	10,896	11,053
— in Portugal	12,299	11,003	11,003	11,161	11,318	10,964	11,122
— in another Member State	12,299	11,003	11,003	11,161	11,318	10,964	11,122
B. Field beans used :							
— in Spain	12,236	10,940	10,940	11,097	11,255	10,896	11,053
— in Portugal	12,299	11,003	11,003	11,161	11,318	10,964	11,122
— in another Member State	12,299	11,003	11,003	11,161	11,318	10,964	11,122
C. Sweet lupins harvested in Spain and used :							
— in Spain	14,212	14,170	14,170	14,170	14,170	13,481	13,481
— in Portugal	14,296	14,254	14,254	14,254	14,254	13,572	13,572
— in another Member State	14,296	14,254	14,254	14,254	14,254	13,572	13,572
D. Sweet lupins harvested in another Member State and used :							
— in Spain	14,202	14,160	14,160	14,160	14,160	13,471	13,471
— in Portugal	14,286	14,244	14,244	14,244	14,244	13,562	13,562
— in another Member State	14,286	14,244	14,244	14,244	14,244	13,562	13,562

ANNEX VIII

Corrective amount to be added to amounts in Annex VII

(in national currency per 100 kg)

Use of products :	BLEU	DK	DE	EL	ES	FR	IRL	IT	NL	PT	UK
Products harvested in :											
— BLEU (Bfrs/Lfrs)	0,00	0,00	0,00	41,94	0,00	0,00	0,00	0,00	0,00	0,00	35,51
— Denmark (Dkr)	0,00	0,00	0,00	7,76	0,00	0,00	0,00	0,00	0,00	0,00	6,57
— Federal Republic of Germany (DM)	0,00	0,00	0,00	2,05	0,00	0,00	0,00	0,00	0,00	0,00	1,74
— Greece (Dr)	0,00	0,00	0,00	191,96	0,00	0,00	0,00	0,00	0,00	0,00	162,50
— Spain (Pta)	0,00	0,00	0,00	133,95	0,00	0,00	0,00	0,00	0,00	0,00	113,39
— France (FF)	0,00	0,00	0,00	6,69	0,00	0,00	0,00	0,00	0,00	0,00	5,66
— Ireland (£ Irl)	0,000	0,000	0,000	0,744	0,000	0,000	0,000	0,000	0,000	0,000	0,630
— Italy (Lit)	0	0	0	1 484	0	0	0	0	0	0	1 257
— Netherlands (Fl)	0,00	0,00	0,00	2,29	0,00	0,00	0,00	0,00	0,00	0,00	1,94
— Portugal (Esc)	0,00	0,00	0,00	173,51	0,00	0,00	0,00	0,00	0,00	0,00	146,88
— United Kingdom (£)	0,000	0,000	0,000	0,688	0,000	0,000	0,000	0,000	0,000	0,000	0,583

ANNEX IX

Exchange rate of the ecu to be used

	BLEU	DK	DE	EL	ES	FR	IRL	IT	NL	PT	UK
In national currency, ECU 1 =	42,1679	7,79845	2,04446	201,374	128,619	6,85684	0,763159	1 529,70	2,30358	180,683	0,722763

(¹) Subject to the reduction from the maximum guaranteed quantities system and the prices and related measures for the 1990/91 marketing year.

COMMISSION REGULATION (EEC) No 1477/90

of 31 May 1990

fixing the rate of the aid for dried fodder

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 1117/78 of 22 May 1978 on the common organization of the market in dried fodder ⁽¹⁾, as last amended by Regulation (EEC) No 2275/89 ⁽²⁾, and in particular Article 5 (3) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas, under Article 5 (1) of Regulation (EEC) No 1117/78, when the guide price is higher than the average world market price, aid is granted for dried fodder as described under Article 1 (b) and (c) of that Regulation and obtained from fodder plants harvested in the Community; whereas that aid takes account of a percentage of the difference between these two prices;

Whereas this percentage and the guide price were fixed by Council Regulation (EEC) No 1192/90 ⁽³⁾ for the marketing year 1990/1991;

Whereas the prices fixed by the Council are to be reduced in accordance with Article 2 of Commission Regulation (EEC) No 784/90 of 29 March 1990 fixing the reducing coefficient for agricultural prices in the 1990/91 marketing year as a result of the monetary realignment of 5 January 1990 and amending the prices and amounts fixed in ecus for that marketing year ⁽⁴⁾;

Whereas the average world market price is determined for a bulk pelleted product, delivered to Rotterdam, of the standard quality for which the guide price has been fixed;

Whereas, under Council Regulation (EEC) No 1417/78 of 19 June 1978 on the aid system for dried fodder ⁽⁵⁾, as last amended by Regulation (EEC) No 1110/89 ⁽⁶⁾, the average world market price for the products described in the first and third indents of Article 1 (b) of Regulation (EEC) No

1117/78 is to be determined on the basis of the most favourable actual purchase possibilities excepting those which cannot be considered representative of the real market trend; whereas offers and quotations recorded during the first 25 days of the month in question for quantities that can be delivered during the following calendar month are to be used; whereas the average world market price thus determined is used to fix the aid rate applicable on the following month;

Whereas the necessary adjustments must be made in the case of offers and quotations not of the type referred to above; whereas these adjustments were defined in Article 3 of Commission Regulation (EEC) No 1528/78 of 30 June 1978 laying down detailed rules for the application of the system of aid for dried fodder ⁽⁷⁾, as last amended by Regulation (EEC) No 2293/89 ⁽⁸⁾;

Whereas, in accordance with Article 3 of Regulation (EEC) No 1417/78, when no offer or quotation can be used to determine the average world market price, that price is determined on the basis of the sum of the value of competing products; whereas those products are defined in Article 3 (3) of Regulation (EEC) No 1528/78;

Whereas, pursuant to Article 11 of Regulation (EEC) No 1417/78, when forward prices differ from that applying in the month when the application is lodged, the aid rate is adjusted by a correcting amount calculated from the trend of forward prices;

Whereas, where the average world market price is determined in accordance with Article 3 of Regulation (EEC) No 1417/78, the corrective amount must be equal to the difference between the average world market price and the average forward world market price determined by applying the criteria laid down in Article 3 (3) of Regulation (EEC) No 1528/78 and valid for delivery during a month other than that in which the aid is introduced, adjusted by the percentage fixed under Article 5 (2) of Regulation (EEC) No 1117/78; whereas where the average forward world market price for one or more months cannot be determined by applying the criteria laid down in Article 3 (3) of Regulation (EEC) No 1528/78, the corrective amount must be fixed for the month or months in question at a level such that the aid is equal to zero;

⁽¹⁾ OJ No L 142, 30. 5. 1978, p. 1.

⁽²⁾ OJ No L 218, 28. 7. 1989, p. 1.

⁽³⁾ OJ No L 119, 11. 5. 1990.

⁽⁴⁾ OJ No L 83, 30. 3. 1990, p. 102.

⁽⁵⁾ OJ No L 171, 28. 6. 1978, p. 1.

⁽⁶⁾ OJ No L 118, 29. 4. 1989, p. 1.

⁽⁷⁾ OJ No L 179, 1. 7. 1978, p. 10.

⁽⁸⁾ OJ No L 218, 28. 7. 1989, p. 30.

Whereas, if the aid system is to operate normally, refunds should be calculated on the following basis ;

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a conversion rate based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽¹⁾, as last amended by Regulation (EEC) No 1636/87 ⁽²⁾,
- for other currencies a conversion rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the previous indent and on the aforesaid corrective factor ;

Whereas the rate of the additional aid must be fixed once per month so as to ensure application of the aid from the first day of the month following the date of its fixing ;

Whereas, pursuant to Article 120 (1) of the 1985 Act of Accession, the Spanish price must be aligned with the common price in accordance with the method laid down in Article 70 of that Act ;

Whereas, pursuant to Articles 120 (2) and 306 (2) of the Act of Accession, the additional aid applicable in these two Member States is to be adjusted by an amount equal

to the amount of customs duties on imports of these products from third countries ; whereas, in addition, in Spain the amount is to be adjusted by the difference, multiplied by the percentage referred to in Article 5 (2) of Regulation (EEC) No 1117/78, between the guide price applied in Spain and the common guide price ;

Whereas, as the result of the applications of all these provisions to the offers and quotations which the Commission has recorded, the rate of the additional aid for dried fodder must be fixed as indicated in the table annexed to this Regulation,

HAS ADOPTED THIS REGULATION :

Article 1

The rate of the aid referred to in Article 5 (3) of Regulation (EEC) No 1117/78 is fixed in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 June 1990.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 31 May 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽²⁾ OJ No L 153, 13. 6. 1987, p. 1.

ANNEX

to the Commission Regulation of 31 May 1990 fixing the rate of the aid for dried fodder

Aid applicable from 1 June 1990 to dried fodder:

(ECU/tonne)

	Fodder dehydrated by artificial heat drying Protein concentrates			Fodder otherwise dried		
	Spain	Portugal	Other Member States		Portugal	Other Member States
Aid	85,460	93,129	94,080		60,189	61,140

Aid in case of advance fixing for the month of:

(ECU/tonne)

July 1990	87,393	95,084	96,013		62,144	63,073
August 1990	87,393	95,084	96,013		62,144	63,073
September 1990	85,945	93,619	94,565		60,679	61,625
October 1990	86,803	94,487	95,423		61,547	62,483
November 1990	85,986	93,661	94,606		60,721	61,666
December 1990	85,986	93,661	94,606		60,721	61,666
January 1991	83,521	91,168	92,141		58,228	59,201
February 1991 ⁽¹⁾	0,000	0,000	0,000		0,000	0,000
March 1991 ⁽¹⁾	0,000	0,000	0,000		0,000	0,000

⁽¹⁾ In accordance with Article 6 (b) of Regulation (EEC) No 1528/78.

COMMISSION REGULATION (EEC) No 1478/90
of 31 May 1990
fixing the aid for soya beans

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 1491/85 of 23 May 1985 laying down special measures in respect of soya beans ⁽¹⁾, as last amended by Regulation (EEC) No 2217/88 ⁽²⁾, and in particular Article 2 (7) thereof,

Having regard to Council Regulation (EEC) No 2286/88 of 19 July 1988 providing for the granting of special aid for soya beans produced and processed in Portugal ⁽³⁾,

Having regard to the opinion of the Monetary Committee,

Whereas, pursuant to Article 2 (1) of Regulation (EEC) No 1491/85, aid is to be granted for soya beans harvested within the Community where the guide price for a marketing year exceeds the world price; whereas the said aid is to be equal to the difference between those two prices;

Whereas the guide price for soya beans for the 1989/90 marketing year was fixed by Council Regulation (EEC) No 1232/89 ⁽⁴⁾ and for the 1990/91 marketing year by Council Regulation (EEC) No 1319/90 ⁽⁵⁾; whereas, pursuant to Articles 95 (2) and 293 (2) of the Act of Accession of Spain and Portugal, aid for soya beans harvested in these two Member States is to be introduced in accordance with the provisions of paragraphs 2 and 3 of the said Articles from the beginning of the 1986/87 marketing year;

Whereas, pursuant to Article of Regulation (EEC) No 2286/88, soya beans produced and processed in Portugal shall be eligible for special aid equal to the difference between the guide price for such beans in Portugal and the price of imported soya beans;

Whereas, pursuant to Council Regulation (EEC) No 2194/85 of 25 July 1985 adopting general rules concerning special measures for soya beans ⁽⁶⁾, as last amended by Regulation (EEC) No 1231/89 ⁽⁷⁾, the world price for

soya beans is to be determined on the basis of the most favourable actual purchasing possibility, with the exception of offers and prices which may not be considered as representative of the actual market trend; whereas account is to be taken of offers made on the world market as well as the prices quoted on exchanges which are important in terms of international trade; whereas, under that Regulation, where the subsidy to be granted is fixed in advance, the amount of such subsidy must be equal to the amount applicable on the day on which the application for advance fixing was lodged, adjusted by the difference between the target price valid on that day and the target price valid on the identification day; whereas such adjustment should involve increasing or reducing the amount of subsidy applicable on the day on which the application was lodged by the corrective amount and the difference between the target prices mentioned in Article 33 of Commission Regulation (EEC) No 2537/89 of 8 August 1989 laying down detailed rules for the application of the special measure for soya beans ⁽⁸⁾, as amended by Regulation (EEC) No 150/90 ⁽⁹⁾;

Whereas, pursuant to Regulation (EEC) No 2537/89, the world market price is to be fixed per 100 kilograms and calculated on the basis of the most favourable offers and quotations for delivery within 30 days following the date when the said offers and quotations were recorded;

Whereas, where the offers and quotations do not comply with the said conditions, the necessary adjustments must be carried out, particularly those referred to in Article 40 of Regulation (EEC) No 2537/89;

Whereas the abatement of the subsidy for soya beans which arises from the system of maximum guaranteed quantities for the 1989/90 marketing year has been fixed by Commission Regulation (EEC) No 3303/89 ⁽¹⁰⁾;

Whereas the abatement of the subsidy which arises, where appropriate, from the system of maximum guaranteed quantities for the 1990/91 marketing year, has not yet been fixed; whereas the amount of the subsidy for the 1990/91 marketing year has been calculated provisionally on the basis of the abatement for the 1989/90 marketing year;

Whereas, if the said system is to operate normally, aid should be calculated on the following basis:

⁽¹⁾ OJ No L 151, 10. 6. 1985, p. 15.

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 11.

⁽³⁾ OJ No L 201, 27. 7. 1988, p. 2.

⁽⁴⁾ OJ No L 128, 11. 5. 1989, p. 26.

⁽⁵⁾ OJ No L 132, 23. 5. 1990, p. 13.

⁽⁶⁾ OJ No L 204, 2. 8. 1985, p. 1.

⁽⁷⁾ OJ No L 128, 11. 5. 1989, p. 24.

⁽⁸⁾ OJ No L 245, 22. 8. 1989, p. 8.

⁽⁹⁾ OJ No L 18, 23. 1. 1990, p. 10.

⁽¹⁰⁾ OJ No L 320, 1. 11. 1989, p. 60.

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽¹⁾, as last amended by Regulation (EEC) No 1636/87 ⁽²⁾,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient;

Whereas the aid shall be fixed as often as the market situation so requires and so that it can be applied at least twice a month, one of which times shall be from the first day of each month;

Whereas it follows from applying these provisions to the offers and quotations known to the Commission that the

subsidy on soya beans should be as set out in this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

1. The amount of the aid provided for in Article 2 for in Regulation (EEC) No 1491/85 and the amount of the special aid provided for in Article 1 of Regulation (EEC) No 2286/88 in the case of Portugal shall be as set out in the Annex hereto.

2. However, the amount of the subsidy in the case of advance fixing for the 1990/91 marketing year for soya beans, will be confirmed or replaced as from 1 June 1990 to take into account, where appropriate, of the application of maximum guaranteed quantities.

Article 2

This Regulation shall enter into force on 1 June 1990.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 31 May 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽²⁾ OJ No L 153, 13. 6. 1987, p. 1.

ANNEX

to the Commission Regulation of 31 May 1990 fixing the aid for soya beans

(ECU/100 kg)

	Seed harvested in		
	Spain	Portugal	another Member State
Seed processed in current period			
— Spain	0,000	28,354	28,354
— Portugal	20,427	28,354 (*)	28,354
— another Member State	20,427	28,354	28,354
Seed processed in first period			
— Spain	0,000	28,413	28,413
— Portugal	20,486	28,413 (*)	28,413
— another Member State	20,486	28,413	28,413
Seed processed in second period			
— Spain	0,000	28,178	28,178
— Portugal	20,251	28,178 (*)	28,178
— another Member State	20,251	28,178	28,178
Seed processed in third period (1)			
— Spain	0,000	28,013	28,013
— Portugal	20,086	28,013 (*)	28,013
— another Member State	20,086	28,013	28,013
Seed processed in fourth period (1):			
— Spain	0,000	27,497	27,497
— Portugal	19,570	27,497 (*)	27,497
— another Member State	19,570	27,497	27,497
Seed processed in fifth period (1)			
— Spain	0,000	27,497	27,497
— Portugal	19,570	27,497 (*)	27,497
— another Member State	19,570	27,497	27,497

(*) Special aid.

(1) Subject, in cases of advance fixing for the 1990/91 marketing year, to application of maximum guaranteed quantity arrangements for that marketing year.

COMMISSION REGULATION (EEC) No 1479/90
of 31 May 1990
fixing the aid for cotton

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to the Act of Accession of Greece, and in particular paragraphs 3 and 10 of Protocol 4 on cotton annexed thereto, as amended by Protocol 14 annexed to the Act of Accession of Spain and of Portugal, and Regulation (EEC) No 4006/87 ⁽¹⁾,

Having regard to Council Regulation (EEC) No 2169/81 of 27 July 1981 laying down the general rules for the system of aid for cotton ⁽²⁾, as last amended by Regulation (EEC) No 791/89 ⁽³⁾, and in particular Article 5 (1) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas, pursuant to Article 5 of Regulation (EEC) No 2169/81, aid must be granted for unginned cotton harvested in the Community when the world market price for unginned cotton is below the guide price;

Whereas the aid is equal to the difference between these two prices;

Whereas the guide price for 1989/90 marketing year was fixed by Council Regulation (EEC) No 1241/89 ⁽⁴⁾ and for the 1990/91 marketing year by Council Regulation (EEC) No 1355/90 ⁽⁵⁾;

Whereas the guide price fixed by the Council is to be reduced in accordance with Article 2 of Commission Regulation (EEC) No 784/90 of 29 March 1990 fixing the reducing coefficient for agricultural prices in the 1990/91 marketing year as a result of the monetary realignment of 5 January 1990 and amending the prices and amounts fixed in ecus for that marketing year ⁽⁶⁾;

Whereas the abatement of the subsidy which arises, where appropriate, from the system of maximum guaranteed quantities for the 1990/91 year, has not, to date, been fixed; whereas the amount of the subsidy for the 1990/91 year has been provisionally calculated on the basis of an abatement of ECU 24,005 per 100 kilograms;

Whereas the world market price for unginned cotton is determined periodically on the basis of the world market prices recorded for ginned cotton and cotton seed, taking into account the estimated yield of the Community harvest in cotton seed and in ginned cotton and also the net cost of ginning;

Whereas the world market price for ginned cotton and cotton seed is determined in accordance with Article 4 of Regulation (EEC) No 2169/81;

Whereas, if the world market price for unginned cotton cannot be determined as described above, this price shall be established on the basis of the most recent price determined;

Whereas the world market price for unginned cotton is equal to the sum of the values for ginned cotton and cotton seed defined in Article 1 of Commission Regulation (EEC) No 1201/89 of 3 May 1989 laying down rules implementing the system of aid for cotton ⁽⁷⁾, as amended by Regulation (EEC) No 2733/89 ⁽⁸⁾, minus the cost of ginning;

Whereas the above values are established on the basis of the prices determined in accordance with Articles 2 and 3 of Commission Regulation (EEC) No 1201/89; whereas the world market price is determined on the basis of the most favourable offers and quotations recorded, excluding offers and quotations which cannot be regarded as representative of the real market trend;

Whereas the necessary adjustments must be made in cases where the offers and quotations recorded do not satisfy the requirements indicated above;

Whereas, pursuant to Article 4 (4) of Regulation (EEC) No 2169/81, if there are no suitable offers or quotations for determining the world market price for cotton seed, that price shall be established on the basis of the most favourable offers and quotations for cotton seed recorded on the Community market or, if those offers and quotations cannot be established on the basis of the value of the products obtained from processing the seed in the Community, less the processing cost; whereas this value is determined in accordance with Article 4 of Regulation (EEC) No 1201/89;

Whereas, if the subsidy system is to operate normally, subsidies should be calculated on the following basis:

⁽¹⁾ OJ No L 377, 31. 12. 1987, p. 49.

⁽²⁾ OJ No L 211, 31. 7. 1981, p. 2.

⁽³⁾ OJ No L 85, 30. 3. 1989, p. 7.

⁽⁴⁾ OJ No L 129, 11. 5. 1989, p. 1.

⁽⁵⁾ OJ No L 134, 28. 5. 1990, p. 20.

⁽⁶⁾ OJ No L 83, 30. 3. 1990, p. 102.

⁽⁷⁾ OJ No L 123, 4. 5. 1989, p. 23.

⁽⁸⁾ OJ No L 263, 9. 9. 1989, p. 15.

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽¹⁾, as last amended by Regulation (EEC) No 1636/87 ⁽²⁾,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient;

Whereas the aid must be fixed once a month, and in such a way that it can be applied from the first day of the month following the date of fixing; whereas it may be altered between fixings;

Whereas it follows from applying these provisions to the offers and quotations known to the Commission that the aid for cotton should be as set out in this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

1. The aid for unginne cotton provided for in Article 5 of Regulation (EEC) No 2169/81 shall be 43,453 ECU per 100 kilograms.
2. However, the amount of the aid will be confirmed or replaced with effect from 1 June 1990 to take account of the application of maximum guaranteed quantities.

Article 2

This Regulation shall enter into force on 1 June 1990.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 31 May 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽²⁾ OJ No L 153, 13. 6. 1987, p. 1.

COMMISSION REGULATION (EEC) No 1480/90

of 31 May 1990

fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex II to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

which use third-country products under inward-processing arrangements;

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 3879/89 ⁽²⁾, and in particular Article 17 (5) thereof,

Whereas Article 4 (3) of Regulation (EEC) No 3035/80 provides that, when the rate of the refund is being fixed, account should be taken, where necessary, of production refunds, aids or other measures having equivalent effect applicable in all Member States in accordance with the Regulation on the common organization of the market in the product in question to the basic products listed in Annex A to that Regulation or to assimilated products;

Whereas Article 17 (1) of Regulation (EEC) No 804/68 provides that the difference between prices in international trade for the products listed in Article 1 (a), (b), (c) and (e) of that Regulation and prices within the Community may be covered by an export refund; whereas Council Regulation (EEC) No 3035/80 of 11 November 1980 laying down general rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and criteria for fixing the amount of such refunds ⁽³⁾, as last amended by Regulation (EEC) No 3209/88 ⁽⁴⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in the Annex to Regulation (EEC) No 804/68;

Whereas Article 11 (1) of Regulation (EEC) No 804/68 provides for the payment of aid for Community-produced skimmed milk processed into casein if such milk and the casein manufactured from it fulfil certain conditions set out in Article 1 of Council Regulation (EEC) No 987/68 of 15 July 1968 laying down general rules for granting aid for skimmed milk processed into casein or caseinates ⁽⁵⁾, as last amended by Regulation (EEC) No 1435/90 ⁽⁶⁾;

Whereas, in accordance with the first subparagraph of Article 4 (1) of Regulation (EEC) No 3035/80, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month;

Whereas Commission Regulation (EEC) No 442/84 of 21 February 1984 on the granting of aid for butter from private storage for use in the manufacture of pastry products, ice-cream and other foodstuffs and amending Regulation (EEC) No 1245/83 ⁽⁷⁾, as last amended by Regulation (EEC) No 698/86 ⁽⁸⁾, and Commission Regulation (EEC) No 570/88 of 16 February 1988 on the sale of butter at reduced prices and the granting of aid for butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other foodstuffs ⁽⁹⁾, as last amended by Regulation (EEC) No 1048/89 ⁽¹⁰⁾, lay down that butter at reduced prices should be made available to industries which manufacture certain goods;

Whereas, in accordance with paragraph 2 of that Article, that rate must be determined with particular reference to:

- (a) the average costs incurred by processing industries in obtaining supplies of the basic products in question on the Community market and the prices ruling on the world markets;
- (b) the level of the refunds on exports of processed agricultural products covered by Annex II to the Treaty which are manufactured under similar conditions;
- (c) the need to ensure equality of competition for the industries which use Community products and those

Whereas the application of the second indent of Article 1 (2) (d) of Regulation (EEC) No 3035/80 leads to the granting, for certain milk products in power form, of refunds the level of which is not in conformity with the aims set out in Article 4 (2) of that Regulation; whereas therefore a specific rate must be fixed for these products, so that the resulting refund is equivalent to that applicable to similar products used in liquid form;

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 378, 27. 12. 1989, p. 1.

⁽³⁾ OJ No L 323, 29. 11. 1980, p. 27.

⁽⁴⁾ OJ No L 286, 20. 10. 1988, p. 6.

⁽⁵⁾ OJ No L 169, 18. 7. 1968, p. 6.

⁽⁶⁾ OJ No L 138, 31. 5. 1990, p. 8.

⁽⁷⁾ OJ No L 52, 23. 2. 1984, p. 12.

⁽⁸⁾ OJ No L 64, 6. 3. 1986, p. 12.

⁽⁹⁾ OJ No L 55, 1. 3. 1988, p. 31.

⁽¹⁰⁾ OJ No L 111, 22. 4. 1989, p. 24.

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

1. The rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EEC) No

3035/80 and listed in Article 1 of Regulation (EEC) No 804/68, exported in the form of goods listed in the Annex to Regulation (EEC) No 804/68, are hereby fixed as shown in the Annex to this Regulation.

2. No rates of refund are fixed for any of the products referred to in the preceding paragraph which are not listed in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 June 1990.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 31 May 1990.

For the Commission

Martin BANGEMANN

Vice-President

ANNEX

to the Commission Regulation of 31 May 1990 fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex II to the Treaty

		(ECU/100 kg)
CN code	Description	Rate of refund
ex 0402 10 19	Powdered milk, obtained by the spray process, with a fat content of less than 1,5 % by weight and with a water content of less than 5 % by weight (PG 2):	
	a) On exportation of goods of CN code 3501	—
	b) On exportation of other goods	50,00
ex 0402 21 19	Powdered milk, obtained by the spray process, with a fat content of 26 % by weight and a water content of less than 5 % by weight (PG 3):	
	a) On exportation of goods of CN codes 0403 10 59, 0403 90 79, 1806 20 90, 1806 90 90, 1901 90 90 and 2106 90 99 containing 40 % or more by weight of milk fat	53,87
	b) On exportation of other goods	100,00
ex 0405 00 10	Butter, with a fat content by weight of 82 % (PG 6):	
	a) On exportation of goods containing reduced-price butter and manufactured under the conditions laid down in Commission Regulations (EEC) No 442/84, (EEC) No 2409/86 ⁽¹⁾ , (EEC) No 570/88, (EEC) No 262/79 ⁽²⁾ and (EEC) No 1932/81 ⁽³⁾	—
	b) On exportation of goods of CN code 2106 90 99 containing 40 % or more by weight of milk fat	178,00
	c) On exportation of other goods	170,00

⁽¹⁾ OJ No L 208, 31. 7. 1986, p. 29.

⁽²⁾ OJ No L 41, 16. 2. 1979, p. 1.

⁽³⁾ OJ No L 191, 14. 7. 1981, p. 6.

COMMISSION REGULATION (EEC) No 1481/90

of 31 May 1990

fixing the rates of the refunds applicable to certain cereal and rice products exported in the form of goods not covered by Annex II to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1340/90⁽²⁾, and in particular the first sentence of the fourth subparagraph of Article 16 (2) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽³⁾, as last amended by Regulation (EEC) No 1806/89⁽⁴⁾, and in particular the first sentence of the fourth subparagraph of Article 17 (2) thereof,

Whereas Article 16 (1) of Regulation (EEC) No 2727/75 and Article 17 (1) of Regulation (EEC) No 1418/76 provides that the difference between quotations of prices on the world market for the products listed in Article 1 of each of those Regulations and the prices within the Community may be covered by an export refund;

Whereas Council Regulation (EEC) No 3035/80 of 11 November 1980 laying down general rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds⁽⁵⁾, as last amended by Regulation (EEC) No 3209/88⁽⁶⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex B to Regulation (EEC) No 2727/75 or in Annex B to Regulation (EEC) No 1418/76 as appropriate;

Whereas, in accordance with the first subparagraph of Article 4 (1) of Regulation (EEC) No 3035/80, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month;

Whereas, in accordance with paragraph 2 of that Article, that rate must be determined with particular reference to:

- (a) the average costs incurred by processing industries in obtaining supplies of the basic products in question on the Community market and the prices ruling on the world markets;
- (b) the level of the refunds on exports of processed agricultural products covered by Annex II to the Treaty which are manufactured under similar conditions;
- (c) the need to ensure equality of competition for the industries which use Community products and those which use third-country products under inward processing arrangements;

Whereas in the absence of evidence that no production refund was granted pursuant to Council Regulation (EEC) No 1009/86 of 25 March 1986 establishing general rules applying to production refunds in the cereals and rice sector⁽⁷⁾, as last amended by Regulation (EEC) No 2779/89⁽⁸⁾, the export refund should be reduced by the amount of the production refund applicable on the day of acceptance of the export declaration; whereas this system is the only one which avoids the risk of fraud;

Whereas Commission Regulation (EEC) No 28/90⁽⁹⁾ specifies new criteria for the classification of products falling within CN code 3505 10 50; whereas it is therefore necessary to adopt certain provisions to ensure the deduction from any export refund payable of the amount of the production refund in cases where the product in question has previously benefited from a production refund pursuant to Regulation (EEC) No 1009/86, prior to the implementation of the new criteria;

Whereas Council Regulation (EEC) No 565/80 of 4 March 1980 on the advance payment of export refunds in respect of agricultural products⁽¹⁰⁾, as amended by Regulation (EEC) No 2026/83⁽¹¹⁾, and Commission Regulation (EEC) No 3665/87 of 27 November 1987 laying down common detailed rules for the application of the system of export refunds on agricultural products⁽¹²⁾, as last amended by Regulation (EEC) No 354/90⁽¹³⁾, lay down rules on the advance payment of export refunds that must be adhered to when these are adjusted;

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 134, 28. 5. 1990, p. 1.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 177, 24. 6. 1989, p. 1.

⁽⁵⁾ OJ No L 323, 29. 11. 1980, p. 27.

⁽⁶⁾ OJ No L 286, 20. 10. 1988, p. 6.

⁽⁷⁾ OJ No L 94, 9. 4. 1986, p. 6.

⁽⁸⁾ OJ No L 268, 15. 9. 1989, p. 20.

⁽⁹⁾ OJ No L 3, 6. 1. 1990, p. 9.

⁽¹⁰⁾ OJ No L 62, 7. 3. 1980, p. 5.

⁽¹¹⁾ OJ No L 199, 22. 7. 1983, p. 12.

⁽¹²⁾ OJ No L 351, 14. 12. 1987, p. 1.

⁽¹³⁾ OJ No L 38, 10. 2. 1990, p. 34.

Whereas, now that a settlement has been reached between the European Economic Community and the United States of America on Community exports of pasta products to the United States and has been approved by Council Decision 87/482/EEC⁽¹⁾, it is necessary to differentiate the refund on goods falling within CN codes 1902 11 00 and 1902 19 according to their destination;

Whereas, in order to ensure equitable treatment between maize products exported in the form of pellets falling within CN code 1904 10 and other maize products, it is necessary to differentiate the refunds on those goods;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

1. Without prejudice to paragraphs 2 and 3 the rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EEC) No 3035/80 and listed either in Article 1 of Regulation (EEC) No 2727/75 or in Article 1 (1) of Regulation (EEC) No 1418/76, exported in the form of goods listed in Annex B to Regulation (EEC) No 2727/75 or in Annex B to Regulation (EEC) No 1418/76 respectively, are hereby fixed as shown in the Annex to this Regulation.

2. For the products listed in the Annex to Regulation (EEC) No 1009/86, the refunds given in the Annex to this Regulation shall be applied on presentation, at the acceptance of the export declaration and the request for obtaining the export refund, of proof that the basic products used in the manufacture of the products to be exported

have not benefited from the production refund provided for in that Regulation, and that such refund will not be applied for.

The proof referred to in the first subparagraph is provided by the presentation by the exporter of a declaration from the processor of the basic product in question attesting that the latter product has not benefited from a production refund as provided for in Regulation (EEC) No 1009/86, and that no application for such refund will be made.

3. When the proof referred to in paragraph 2 is not provided, the export refund:

(a) applicable on the date of acceptance of the export declaration for the goods, or on the day specified in Article 26 (2) of Regulation (EEC) No 3665/87, where the rate is not fixed in advance;

(b) of which the rate is fixed in advance,

will be reduced by the amount of the production refund applicable pursuant to Regulation (EEC) No 1009/86 to the basic product in question on the day of acceptance of the export declaration for the goods, or on the day specified in Article 26 (2) of Regulation (EEC) No 3665/87, if the goods have been placed under the export refund advance payment arrangements.

Article 2

The provisions of Article 1 (2) and (3) of this Regulation shall also apply to starches having on acetyl content by weight in the dry product of 0,25 % or more but less than 0,5 %

Article 3

This Regulation shall enter into force on 1 June 1990.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 31 May 1990.

For the Commission

Martin BANGEMANN

Vice-President

⁽¹⁾ OJ No L 275, 29. 9. 1987, p. 36.

ANNEX

to the Commission Regulation of 31 May 1990 fixing the rates of the refunds applicable to certain cereal and rice products exported in the form of goods not covered by Annex II to the Treaty

		(ECU/100 kg)
CN code	Description	Rate of refund
1001 10 90	Durum wheat :	
	— On exports of goods falling within CN codes 1902 11 00 and 1902 19 to the United States of America	9,940
	— In all other cases	13,253
1001 90 99	Common wheat, and meslin (mixed wheat and rye) :	
	— On exports of goods falling within CN codes 1902 11 00 and 1902 19 to the United States of America	5,554
	— In all other cases	7,405
1002 00 00	Rye	8,391
1003 00 90	Barley	8,341
1004 00 90	Oats	7,915
1005 90 00	Maize, other than hybrid maize for sowing) :	
	— On exports of pellets with a fat content exceeding 1,5 % in the form of goods falling within CN code 1904 10	5,513
	— In all other cases	9,729
1006 20	Round grain husked rice	23,408
	Medium grain husked rice	17,586
	Long grain husked rice	17,586
ex 1006 30	Round grain wholly milled rice	32,190
	Medium grain wholly milled rice	33,301
	Long grain wholly milled rice	33,301
1006 40 00	Broken rice	15,607
1007 00 90	Sorghum	6,375
1101 00 00	Wheat or meslin flour :	
	— On exports of goods falling within CN codes 1902 11 00 and 1902 19 to the United States of America	6,504
	— In all other cases	8,672
1102 10 00	Rye flour	18,566
1103 11 10	Durum wheat groats and meal :	
	— On exports of goods falling within CN codes 1902 11 00 and 1902 19 to the United States of America	15,407
	— In all other cases	20,542
1103 11 90	Common wheat groats and meal :	
	— On exports of goods falling within CN codes 1902 11 00 and 1902 19 to the United States of America	6,504
	— In all other cases	8,672

COMMISSION REGULATION (EEC) No 1482/90

of 31 May 1990

fixing the rates of the refunds applicable to certain products from the sugar sector exported in the form of goods not covered by Annex II to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the market in sugar⁽¹⁾, as last amended by Regulation (EEC) No 1069/89⁽²⁾, and in particular Article 19 (4) (a) and (7) thereof,

Whereas Article 19 (1) and (2) of Regulation (EEC) No 1785/81 provides that, for the products listed in Article 1 (1) (a), (c), (d), (f) and (g) of that Regulation, an export refund may be granted when these goods are exported in the form of goods listed in Annex I to that same Regulation; whereas Council Regulation (EEC) No 3035/80 of 11 November 1980 laying down general rules for granting export refunds for certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds⁽³⁾, as last amended by Regulation (EEC) No 3209/88⁽⁴⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex I to Regulation (EEC) No 1785/81;

Whereas, in accordance with the first subparagraph of Article 4 (1) of Regulation (EEC) No 3035/80, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month; and whereas, in accordance with paragraph 2 of that Article, that rate must be determined with particular reference to:

- (a) the average costs incurred by processing industries in obtaining supplies of the basic products on the Community market and the prices ruling on the world market;
- (b) the level of the refunds on exports of processed agricultural products covered by Annex II to the Treaty which are manufactured under similar conditions;
- (c) the need to ensure equality of competition for the industries which use Community products and those which use third-country products under inward processing arrangements;

Whereas Article 4 (3) of Regulation (EEC) No 3035/80 provides that, when the rate of the refund is being fixed, account should be taken, where appropriate, of refunds, aids or other measures having equivalent effect, applicable in all Member States in accordance with the Regulation on the common organization of the market in the product in question, to the basic products listed in Annex A to that Regulation or to assimilated products;

Whereas Council Regulation (EEC) No 1010/86 of 26 March 1986 laying down general rules for production refunds on certain products of the chemical industry⁽⁵⁾, as last amended by Regulation (EEC) 2306/88⁽⁶⁾, provides for the granting of production refunds of white sugar, raw sugar, certain sucrose syrups falling within CN codes ex 1702 60 90 and ex 1702 90 90 having a certain purity, and unprocessed isoglucose falling within CN codes 1702 30 10, 1702 40 10, 1702 60 10 and 1702 90 30, which are used in the manufacture of the chemical products listed in the Annex thereto; whereas this production refunds' scheme has been established in particular to bring the conditions under which Community processors operate progressively into line with those of processors employing sugar at world market prices; whereas, therefore, in the absence of proof that the basic product has not benefited from the production refund, the amount of the export refund must be reduced by the amount of the production refund applicable to the basic product on the day of acceptance of the export declaration; whereas this system is the only one which discards the risk of fraud;

Whereas Council Regulation (EEC) No 565/80 of 4 March 1980 on the advance payment of export refunds in respect of agricultural products⁽⁷⁾, as amended by Regulation (EEC) No 2026/83⁽⁸⁾, and Commission Regulation (EEC) No 798/80 of 31 March 1980 laying down general rules on the advance payment of export refunds and positive monetary compensatory amounts in respect of agricultural products⁽⁹⁾, as last amended by Regulation (EEC) No 471/87⁽¹⁰⁾, lay down rules on the advance payment of export refunds that must be adhered to when these are adjusted;

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 114, 27. 4. 1989, p. 1.

⁽³⁾ OJ No L 323, 29. 11. 1980, p. 27.

⁽⁴⁾ OJ No L 286, 20. 10. 1988, p. 6.

⁽⁵⁾ OJ No L 94, 9. 4. 1986, p. 9.

⁽⁶⁾ OJ No L 201, 27. 7. 1988, p. 65.

⁽⁷⁾ OJ No L 62, 7. 3. 1980, p. 5.

⁽⁸⁾ OJ No L 199, 22. 7. 1983, p. 12.

⁽⁹⁾ OJ No L 87, 1. 4. 1980, p. 42.

⁽¹⁰⁾ OJ No L 48, 17. 2. 1987, p. 10.

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

Article 1

1. Without prejudice to paragraphs 2 and 3, the rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EEC) No 3035/80 and listed in Article 1 (1) and (2) of Regulation (EEC) No 1785/81, exported in the form of goods listed in Annex I to Regulation (EEC) No 1785/81, are fixed as shown in the Annex hereto.

2. For the chemical products listed in the Annex to Regulation (EEC) No 1010/86, the refunds given in the Annex to this Regulation shall be applied on presentation, at the acceptance of the export declaration and the request for obtaining the export refund, of proof that the basic products used in the manufacture of the chemical products to be exported have not benefited from the production refund provided for in that Regulation, and that such refund will not be applied for.

The proof referred to in the first subparagraph is provided by the presentation by the exporter of a declaration from the processor of the basic product in question attesting that the latter product has not benefited from a production refund as provided for in Regulation (EEC) No 1010/86, and that no application for such refund will be made.

3. When the proof referred to in paragraph 2 is not provided, the export refund:

- (a) applicable on the date of export of the goods, when the rate is not fixed in advance; or
- (b) of which the rate is fixed in advance,

will be reduced by the amount of the production refund applicable under Regulation (EEC) No 1010/86 to the basic product in question on the day of acceptance of the export declaration for the goods, or on the day specified in Article 3 (2) of Regulation (EEC) No 798/80, if the goods have been placed under the export refund advance payment arrangements.

Article 2

This Regulation shall enter into force on 1 June 1990.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 31 May 1990.

For the Commission
Martin BANGEMANN
Vice-President

ANNEX

to the Commission Regulation of 31 May 1990 fixing the rates of the refunds applicable to certain products in the sugar sector exported in the form of goods not covered by Annex II to the Treaty

Rate of refund in ECU/100 kg:

White sugar:	29,30	
Raw sugar:	26,95	
Syrups of beet sugar or cane sugar containing, in the dry state, 85 % or more by weight of sucrose (including invert sugar expressed as sucrose):	$29,30 \times \frac{S^{(1)}}{100}$	or
If those syrups are obtained by dissolving white or raw sugar in the solid state, whether or not the dissolving is followed by inversion:		The rate fixed above for 100 kg of white or raw sugar used for the dissolution
Molasses:	—	
Isoglucose ⁽²⁾ :	29,30 ⁽²⁾	

(1) 'S' represents in 100 kilograms of syrup

- the sucrose content (including invert sugar expressed as sucrose) of the syrup in question, where the latter is not less than 98 % pure,
- the extractable sugar content of the syrup in question, where the latter is not less than 85 %, but less than 98 % pure.

(2) Products obtained by isomerization of glucose, which have a content by weight in the dry state of at least 41 % fructose and of which the total content by weight in the dry state of polysaccharides and oligosaccharides, including the di- or trisaccharides content, does not exceed 8,5 %.

(3) Amount of refund per 100 kilograms of dry matter.

COMMISSION REGULATION (EEC) No 1483/90

of 31 May 1990

fixing the export refunds on cereals and on wheat or rye flour, groats and meal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1340/90⁽²⁾, and in particular the fourth subparagraph of Article 16 (2),

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 of Regulation (EEC) No 2727/75 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products in the Community may be covered by an export refund;

Whereas Article 2 of Council Regulation (EEC) No 2746/75 of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds⁽³⁾, provides that when refunds are being fixed, account must be taken of the existing situation and the future trend with regard to prices and availabilities of cereals on the Community market on the one hand, and prices for cereals and cereal products on the world market on the other; whereas the same Article provides that it is also important to ensure equilibrium and the natural development of prices and trade on cereal markets and, furthermore, to take into account the economic aspect of the proposed exports and the need to avoid disturbances on the Community market;

Whereas Article 3 of Regulation (EEC) No 2746/75 defines the specific criteria to be taken into account when the refund on cereals is being calculated;

Whereas these specific criteria are defined, as far as wheat and rye flour, groats and meal are concerned, in Article 4 of Regulation (EEC) No 2746/75; whereas furthermore, when the refund on these products is being calculated,

account must be taken of the quantities of cereals required for their manufacture; whereas these quantities were fixed in Commission Regulation No 162/67/EEC⁽⁴⁾, as amended by Regulation (EEC) No 1607/71⁽⁵⁾;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the refund for certain products according to destination;

Whereas the refund must be fixed once a month; whereas it may be altered in the intervening period;

Whereas, if the refund system is to operate normally, refunds should be calculated on the following basis:

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 % a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽⁶⁾, as last amended by Regulation (EEC) No 1636/87⁽⁷⁾,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the previous indent and the aforesaid coefficient;

Whereas it follows from applying the detailed rules set out above to the present situation on the market in cereals, and in particular to quotations or prices for these products within the Community and on the world market, that the refunds should be as set out in the Annex hereto;

Whereas, pursuant to Article 275 of the Act of Accession, refunds may be granted in the case of exports to Portugal; whereas, in the light of the situation and the level of prices no refund should be fixed in the case of exports to Portugal;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.
⁽²⁾ OJ No L 134, 28. 5. 1990, p. 1.
⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No 128, 27. 6. 1967, p. 2574/67.
⁽⁵⁾ OJ No L 168, 27. 7. 1971, p. 16.
⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.
⁽⁷⁾ OJ No L 153, 13. 6. 1987, p. 1.

HAS ADOPTED THIS REGULATION:

The refund on export to Portugal has not been fixed.

Article 1

The export refunds on the products listed in Article 1 (a), (b) and (c) of Regulation (EEC) No 2727/75, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 June 1990.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 31 May 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 31 May 1990 fixing the export refunds on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

Product code	Destination (1)	Amount of refund
0709 90 60 000	—	—
0712 90 19 000	—	—
1001 10 10 000	—	—
1001 10 90 000	01	0
1001 90 91 000	—	—
1001 90 99 000	04	30,00
	05	30,00
	06	22,00
	02	20,00
1002 00 00 000	03	30,00
	05	30,00
	02	20,00
1003 00 10 000	—	—
1003 00 90 000	04	30,00
	02	20,00
1004 00 10 000	—	—
1004 00 90 000	—	—
1005 10 90 000	—	—
1005 90 00 000	03	70,00
	02	0
1007 00 90 000	—	—
1008 20 00 000	—	—
1101 00 00 110	01	80,00
1101 00 00 120	01	80,00
1101 00 00 130	01	73,00
1101 00 00 150	01	70,00
1101 00 00 170	01	68,00
1101 00 00 180	01	64,00
1101 00 00 190	—	—
1101 00 00 900	—	—
1102 10 00 100	01	80,00
1102 10 00 200	01	80,00
1102 10 00 300	01	80,00
1102 10 00 500	01	80,00
1102 10 00 900	—	—
1103 11 10 100	01	171,00
1103 11 10 200	01	161,00
1103 11 10 500	01	144,00
1103 11 10 900	01	136,00
1103 11 90 100	01	80,00
1103 11 90 900	—	—

- (¹) The destinations are identified as follows:
- 01 All third countries,
 - 02 Other third countries,
 - 03 Switzerland, Austria and Liechtenstein,
 - 04 Switzerland, Austria, Liechtenstein, Ceuta and Melilla,
 - 05 Zone II (b),
 - 06 Tunisia.
-

NB: The zones are those defined in Commission Regulation (EEC) No 1124/77 (OJ No L 134, 28. 5. 1977, p. 53), as last amended by Regulation (EEC) No 3049/89 (OJ No L 292, 11. 10. 1989, p. 10).

COMMISSION REGULATION (EEC) No 1484/90

of 31 May 1990

adjusting the reference prices and the Community offer prices in the fruit and vegetable sector as a result of the monetary realignment of 5 January 1990

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 1677/85 of 11 June 1985 on monetary compensatory amounts in agriculture ⁽¹⁾, as last amended by Regulation (EEC) No 1889/87 ⁽²⁾, and in particular Article 6 (3) thereof,

Whereas Commission Regulation (EEC) No 784/90 of 29 March 1990 fixing the reducing coefficient for the agricultural prices in the 1990/91 marketing year as a result of the monetary realignment of 5 January 1990 and amending the prices and amounts fixed in ecus for that marketing year ⁽³⁾ establishes the list of prices and amounts in the fruit and vegetable sector to which the coefficient 1,001712 is applied from 14 May 1990 under the arrangements for the automatic dismantlement of negative monetary gaps; whereas Article 3 of Regulation (EEC) No 784/90 provides that the resulting reduction should be specified and that the value of those reduced prices should be established;

Whereas the reference prices and the Community offer prices for the 1990 marketing year were fixed by Commission Regulations (EEC) No 234/90 ⁽⁴⁾, (EEC) No 235/90 ⁽⁵⁾, (EEC) No 574/90 ⁽⁶⁾, (EEC) No 575/90 ⁽⁷⁾, (EEC) No 576/90 ⁽⁸⁾, (EEC) No 577/90 ⁽⁹⁾, (EEC) No 724/90 ⁽¹⁰⁾, (EEC) No 723/90 ⁽¹¹⁾, (EEC) No 830/90 ⁽¹²⁾, (EEC) No 829/90 ⁽¹³⁾, (EEC) No 892/90 ⁽¹⁴⁾, (EEC) No 918/90 ⁽¹⁵⁾, (EEC) No 891/90 ⁽¹⁶⁾, (EEC) No 917/90 ⁽¹⁷⁾,

(EEC) No 902/90 ⁽¹⁸⁾ and (EEC) No 909/90 ⁽¹⁹⁾ for cucumbers, aubergines, courgettes, cherries, tomatoes, apricots, table grapes and peaches including nectarines;

Whereas this reducing coefficient shall apply to the prices referred to above; however, this adjustment cannot result in a lower level of the reference prices than the prices in force during the preceding marketing year pursuant to Article 23 (2) of Council Regulation (EEC) No 1035/72 ⁽²⁰⁾ on the common organization of the market in fruit and vegetables, as last amended by Regulation (EEC) No 1193/90 ⁽²¹⁾; whereas this adjustment shall enter into force on the day of entry into force of Council Regulation (EEC) No 1179/90 ⁽²²⁾ fixing the agricultural conversion rates;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fruit and Vegetables,

HAS ADOPTED THIS REGULATION :

Article 1

The reference prices and the Community offer prices for the 1990 marketing year for cucumbers, aubergines, courgettes, cherries, tomatoes, apricots, table grapes and peaches including nectarines, reduced pursuant to Article 2 of Regulation (EEC) No 784/90, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

It shall apply with effect from 14 May 1990.

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 6.
⁽²⁾ OJ No L 182, 3. 7. 1987, p. 1.
⁽³⁾ OJ No L 83, 30. 3. 1990, p. 102.
⁽⁴⁾ OJ No L 26, 30. 1. 1990, p. 19.
⁽⁵⁾ OJ No L 26, 30. 1. 1990, p. 21.
⁽⁶⁾ OJ No L 59, 8. 3. 1990, p. 16.
⁽⁷⁾ OJ No L 59, 8. 3. 1990, p. 18.
⁽⁸⁾ OJ No L 59, 8. 3. 1990, p. 20.
⁽⁹⁾ OJ No L 59, 8. 3. 1990, p. 22.
⁽¹⁰⁾ OJ No L 80, 27. 3. 1990, p. 23.
⁽¹¹⁾ OJ No L 80, 27. 3. 1990, p. 21.
⁽¹²⁾ OJ No L 86, 31. 3. 1990, p. 22.
⁽¹³⁾ OJ No L 86, 31. 3. 1990, p. 20.
⁽¹⁴⁾ OJ No L 92, 7. 4. 1990, p. 35.
⁽¹⁵⁾ OJ No L 94, 11. 4. 1990, p. 11.
⁽¹⁶⁾ OJ No L 92, 7. 4. 1990, p. 33.
⁽¹⁷⁾ OJ No L 94, 11. 4. 1990, p. 9.

⁽¹⁸⁾ OJ No L 93, 10. 4. 1990, p. 18.
⁽¹⁹⁾ OJ No L 94, 11. 4. 1990, p. 13.
⁽²⁰⁾ OJ No L 118, 20. 5. 1972, p. 1.
⁽²¹⁾ OJ No L 119, 11. 5. 1990, p. 43.
⁽²²⁾ OJ No L 119, 11. 5. 1990, p. 1.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 31 May 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX
MARKETING YEAR 1990

Product and period	Reference price	Community offer price
CUCUMBERS (CN code 0707 00 11, 19)		
— May (14 to 31)	76,12	65,86
— June	63,76	56,82
— July	48,28	48,28
— August	48,65	48,65
— September	57,62	57,62
— from 1 October to 10 November	81,62	80,44
AUBERGINES (CN code 0709 30 00)		
— May (14 to 31)	82,00	81,90
— June	78,58	77,76
— July	69,85	62,41
— August	46,72	42,84
— September	50,09	49,45
— October	54,13	53,94
COURGETTES (CN code 0709 90 70)		
— May (14 to 31)	63,12	63,01
— June	42,18	38,95
— July	38,56	38,56
— August	44,91	44,91
— September	49,60	49,60
CHERRIES (CN code 0809 20)		
— May (21 to 31)	140,71	140,71
— June	125,70	125,70
— July	115,49	115,49
— August (1 to 10)	88,58	88,58
TOMATOES (CN code 0702 00)		
— May (14 to 31)	136,75	113,94
— 1 June to 10 July	99,96	74,31
— 11 July to 31 August	41,90	41,90
— September	44,99	44,99
— 1 October to 20 December	46,47	46,47
APRICOTS (CN code 0809 10 00)		
— June (1 to 10)	106,26	99,29
(11 to 20)	93,94	82,12
(21 to 30)	82,07	68,63
— July	73,15	69,30
TABLE GRAPES (CN codes 0806 10 15, 19)		
— 21 July to 31 August	51,92	51,92
— September and October	49,20	49,20
— November (1 to 20)	44,87	44,87
PEACHES INCLUDING NECTARINES (CN code 0809 30 00)		
— June (11 to 20)	82,44	82,44
(21 to 30)	71,65	60,33
— July	71,22	58,14
— August	56,98	56,36
— September	56,23	55,13

The prices mentioned in this Annex are expressed in ecus per 100 kilograms net of packed products of class I, of all sizes.

COMMISSION REGULATION (EEC) No 1485/90

of 31 May 1990

establishing the basic and buying-in prices for tomatoes, aubergines apricots, table grapes and table pears reduced as a result of the monetary realignment of 5 January 1990

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 1677/85 of 11 June 1985 on monetary compensatory amounts in agriculture⁽¹⁾, as last amended by Regulation (EEC) No 1889/87⁽²⁾, and in particular Article 6 (3) thereof,

Whereas Commission Regulation (EEC) No 784/90 of 29 March 1990 fixing the reducing coefficient for the agricultural prices in the 1990/91 marketing year as a result of the monetary realignment of 5 January 1990 and amending the prices and amounts fixed in ecus for that marketing year⁽³⁾ establishes the list of prices and amounts for fruit and vegetables to which the coefficient 1,001712 is applied in the framework of the arrangements on the automatic dismantlement of negative monetary gaps; whereas Article 3 of Regulation (EEC) No 784/90 provides that the resulting reduction should be specified in particular for the prices and amounts fixed in ecus by the Council for the 1990/91 marketing year and the value of those reduced prices and amounts should be fixed;

Whereas the basic and buying-in prices for tomatoes, aubergines, apricots, table grapes and table pears for the 1990/91 marketing year were fixed by Council Regulation (EEC) No 1194/90⁽⁴⁾;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

The basic and buying-in prices for tomatoes, aubergines, apricots, table grapes and table pears fixed in ecus by the Council for the 1990/91 marketing year and reduced pursuant to Article 2 of Regulation (EEC) No 784/90 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 31 May 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 6.

⁽²⁾ OJ No L 182, 3. 7. 1987, p. 1.

⁽³⁾ OJ No L 83, 30. 3. 1990, p. 102.

⁽⁴⁾ OJ No L 119, 11. 5. 1990, p. 46.

ANNEX

BASIC PRICES AND BUYING-IN PRICES

1990/91 marketing year

TOMATOES

For the period from 11 June to 30 November 1990

(ECU/100 kg net)

	Basic price		Buying-in price	
	EUR 10	Spain	EUR 10	Spain
June (from 11 to 20)	28,41	15,44	10,80	5,87
(from 21 to 30)	25,87	14,25	10,04	5,52
July	23,34	13,08	8,66	4,87
August	20,93	11,95	7,77	4,46
September	22,20	12,54	8,27	4,69
October	23,53	13,16	8,67	4,88
November	28,28	15,38	11,32	6,11

These prices refer to packed 'round' and 'ribbed' tomatoes of quality class I, size 57/67 mm.

AUBERGINES

For the period from 1 July to 31 October 1990

(ECU/100 kg net)

	Basic price		Buying-in price	
	EUR 10	Spain	EUR 10	Spain
July to October	17,74	9,08	7,11	3,64

These prices refer to the following products :

- elongated aubergines of quality class I, size over 40 mm,
- globus aubergines of quality class I, size over 70 mm.

APRICOTS

For the period from 1 June to 31 July 1990

(ECU/100 kg net)

	Basic price		Buying-in price	
	EUR 10	Spain	EUR 10	Spain
June and July	41,68	28,88	23,74	16,45

These prices refer to packed products of quality class I of a size over 30 mm.

PEARS

For the period from 1 July 1990 to 30 April 1991

(ECU/100 kg net)

	Basic price		Buying-in price	
	EUR 10	Spain	EUR 10	Spain
July	28,62	19,98	14,73	10,29
August	26,72	18,76	14,34	10,04
September	25,57	18,02	13,72	9,65
October	26,59	18,68	13,72	9,65
November	26,98	18,93	14,97	9,81
December	27,35	19,16	14,34	10,04
January to April	27,60	19,32	14,60	10,21

These prices refer to the following packed products :

- pears of the Beurré Hardy, Bon Chrétien Williams, Conférence, Coscia (Ercolini), Crystallis, (Beurré Napoléon, Blanquilla, Tsakonika), and Dr Jules Guyot (Limonera) varieties, quality class I, size 60 mm or more,
- pears of the Empereur Alexandre (Kaiser Alexandre Bosc) variety, quality class I, size 70 mm or more.

TABLE GRAPES

For the period from 1 August to 20 November 1990

(ECU/100 kg net)

	Basic price		Buying-in price	
	EUR 10	Spain	EUR 10	Spain
August	36,25	36,25	23,31	23,31
September, October and November (from 1 to 20)	32,45	32,45	19,88	19,88

These prices refer to packed table grapes of the Regina dei Vigneti, Soutanine, Regina (Mennavacca bianca, Rosaki, Dattier de Beyrouth), Italia, Aledo and Ohanes (Almeria) varieties, quality class I.

COMMISSION REGULATION (EEC) No 1486/90
of 31 May 1990

fixing the minimum purchase price for lemons delivered for processing and the amount of the financial compensation after processing of such lemons for the 1990/91 marketing year

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1035/77 of 17 May 1977 laying down special measures to encourage the marketing of products processed from lemons⁽¹⁾, as last amended by Regulation (EEC) No 1199/90⁽²⁾, and in particular Article 3 thereof,

Whereas, pursuant to Article 1 (3) of Regulation (EEC) No 1035/77, the minimum price which processors must pay to producers is fixed at 120 % of the average withdrawal price, calculated in accordance with the first indent of Article 18 (1) (a) of Council Regulation (EEC) No 1035/72⁽³⁾, as last amended by Regulation (EEC) No 1193/90⁽⁴⁾, for the 1990/91 marketing year; whereas the minimum price for Spain is fixed at 155 % of the average withdrawal price; whereas the minimum price for Portugal is fixed at 120 % of the average withdrawal price applying in that Member State for the marketing year in question;

Whereas, in accordance with Article 2 of Regulation (EEC) No 1035/77, the financial compensation cannot exceed the difference between the minimum purchase price referred to in Article 1 of that Regulation and the prices applying to the raw material in producer third countries;

Whereas the provisions applicable where a product purchased in Spain or Portugal is processed in another Member State should be specified owing to the varying amounts fixed for those Member States;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

For the 1990/91 marketing year, the minimum price referred to in Article 1 (3) of Regulation (EEC) No 1035/77 is hereby fixed as follows:

(ECU/100 kg net)

Spain	Portugal	Other Member States
13,69	11,21	16,31

The minimum price shall be fixed for goods ex producers' packing stations.

Article 2

For the 1990/91 marketing year, the financial compensation referred to in Article 2 of Regulation (EEC) No 1035/77 is hereby fixed as follows:

(ECU/100 kg net)

Spain	Portugal	Other Member States
6,78	4,3	9,4

Article 3

Where a product harvested in Spain or Portugal is processed in another Member State, the minimum price and the financial compensation applicable shall be those in force in the Member State in which the product was harvested.

Article 4

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

It shall apply from 1 June 1990.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 31 May 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 125, 19. 5. 1977, p. 3.
⁽²⁾ OJ No L 119, 11. 5. 1990, p. 61.
⁽³⁾ OJ No L 118, 20. 5. 1972, p. 1.
⁽⁴⁾ OJ No L 119, 11. 5. 1990, p. 43.

COMMISSION REGULATION (EEC) No 1487/90

of 31 May 1990

fixing for the 1990/91 marketing year the Community offer prices for lemons applicable with regard to Spain

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 3709/89 of 4 December 1989 laying down general rules for implementing the Act of Accession of Spain and Portugal as regards the compensation mechanism on export of fruit and vegetables originating in Spain⁽¹⁾, and in particular Article 4 (1) thereof,

Whereas, Commission Regulation (EEC) No 3815/89⁽²⁾, lays down detailed rules for the application of the compensation mechanism to imports of fruit and vegetables from Spain;

Whereas, pursuant to Article 152 of the Act of Accession, a compensation mechanism is to be introduced on imports into the Community as constituted at 31 December 1985, hereinafter referred to as 'the Community of Ten', from 1 January 1990, of fruit and vegetables from Spain for which a reference price is fixed with regard to third countries; whereas, Community offer prices for lemons coming from Spain should be fixed only during the period where reference prices are fixed with regard to third countries, this means from 1 June up to and including 31 May of the following year;

Whereas, in accordance with Article 152 (2) (a) of the Act of Accession, a Community offer price is to be calculated annually on the basis of the arithmetic mean of the producer prices in each Member State of the Community of Ten, plus transport and packaging costs incurred by the products from the production regions to the representative consumption centres of the Community and bearing in mind developments in the cost of production in the fruit and vegetable sector; whereas the abovementioned producer prices correspond to the average prices recorded during the three years preceding the date of fixing of the Community offer price; whereas, however, the annual Community offer price cannot exceed the reference price applied for third countries;

Whereas, in order to take account of seasonal variations in prices, the marketing year should be divided into one or

more periods and a Community offer price should be fixed for each of them;

Whereas, in accordance with Article 1 of Regulation (EEC) No 3709/89, the producer prices to be used for the determination of the Community offer price are to be those of a domestic product defined by its commercial characteristics recorded on the representative market or markets located in the production areas where prices are lowest for products or varieties representing a considerable proportion of production marketed throughout the year or during a part of the latter and which meet quality class I requirements and conditions laid down as regards packaging; whereas the average price for each representative market must be established after disregarding prices which may be considered excessively high or excessively low compared with the normal fluctuations recorded on the market; whereas, moreover, if the average price for a Member State shows excessive variations with respect of normal price fluctuations it shall not be taken into account;

Whereas Commission Regulation (EEC) No 784/90 of 29 March 1990 fixing the reducing coefficient for agricultural prices in the 1990/91 marketing year as a result of the monetary realignment of 5 January 1990 and amending the prices and amounts fixed in ecus for that marketing year⁽³⁾ establishes the list of prices and amounts to which the coefficient 1,001712 is applied in the framework of the arrangements on the automatic dismantlement of negative monetary gaps; whereas the prices and amounts fixed in ecus by the Commission for the 1990/91 marketing year must take account of the resulting reduction;

Whereas this reducing coefficient shall apply to the prices referred to above; whereas this adjustment shall enter into force on the day of entry into force of Council Regulation (EEC) No 1179/90⁽⁴⁾ fixing the agricultural conversion rates;

Whereas the application of the abovementioned criteria results in Community offer prices being fixed for lemons for the period 1 June 1990 to 31 May 1991 at the levels set out hereinafter;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fruit and Vegetables,

⁽¹⁾ OJ No L 363, 13. 12. 1989, p. 3.

⁽²⁾ OJ No L 371, 20. 12. 1989, p. 28.

⁽³⁾ OJ No L 83, 30. 3. 1990, p. 102.

⁽⁴⁾ OJ No L 119, 11. 5. 1990, p. 1.

HAS ADOPTED THIS REGULATION :

— June :	41,80
— July and August :	57,56
— September :	56,23
— October :	50,48
— November to April :	40,88
— May :	38,66

Article 1

For the 1990/91 marketing year, the Community offer prices for lemons (CN code 0805 30 10), expressed in ecus per 100 kilograms net of packed products of class I, of all sizes, shall be as follows :

Article 2

This Regulation shall enter into force on 1 June 1990.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 31 May 1990.

For the Commission
Ray MAC SHARRY
Member of the Commission

COMMISSION REGULATION (EEC) No 1488/90

of 31 May 1990

fixing for the 1990/91 marketing year the reference prices for lemons

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 1193/90⁽²⁾, and in particular Article 27 (1) thereof,

Whereas, pursuant to Article 23 (1) of Regulation (EEC) No 1035/72, reference prices valid for the whole Community are to be fixed at the beginning of the marketing year;

Whereas lemons are produced in such quantities in the Community that reference prices should be fixed for them;

Whereas lemons harvested during a given crop year are marketed from June to May of the next year; whereas reference prices should therefore be fixed for the period 1 June to 31 May of the following year;

Whereas, to take seasonal variations into account, the year should be divided into several periods and a reference price fixed for each of these periods;

Whereas Article 23 (2) (b) of the abovementioned Regulation stipulates that reference prices are to be fixed at the same level as for the preceding marketing year, adjusted, after deducting the standard cost of transporting Community products between production areas and Community consumption centres in the preceding year, by:

- the increase in production costs for fruit and vegetables, less productivity growth, and
- the standard rate of transport costs in the current marketing year;

Whereas the resulting figure may nevertheless not exceed the arithmetic mean of producer prices in each Member State with regard to Article 23 (2) plus transport costs for the current year, after this amount has been increased by the rise in production costs less productivity growth;

whereas the reference price may, however, not be lower than in the preceding marketing year;

Whereas producer prices are to correspond to the average of the prices recorded on the representative market or markets situated in the production areas where prices are lowest, during the three years prior to the date on which the reference price is fixed, for a home-grown product with defined commercial characteristics, being a product or variety representing a substantial proportion of the production marketed over the year or over part thereof and satisfying specified requirements as regards market preparation; whereas, when the average of prices recorded on each representative market is being calculated, prices which could be considered excessively high or excessively low in relation to normal price fluctuations on that market are to be disregarded;

Whereas Commission Regulation (EEC) No 784/90 of 29 March 1990 fixing the reducing coefficient for agricultural prices in the 1990/91 marketing year as a result of the monetary realignment of 5 January 1990 and amending the prices and amounts fixed in ecus for that marketing year⁽³⁾ establishes the list of prices and amounts to which the coefficient 1,001712 is applied in the framework of the arrangements on the automatic dismantlement of negative monetary gaps; whereas the prices and amounts fixed in ecus by the Commission for the 1990/91 marketing year must take account of the resulting reduction; whereas this reducing coefficient shall apply to the prices referred to above; however, this adjustment cannot result in a lower level of the reference prices than the prices in force during the preceding marketing year pursuant to Article 23 (2) of Regulation (EEC) No 1035/72; whereas this adjustment shall enter into force on the day of entry into force of Council Regulation (EEC) No 1179/90⁽⁴⁾ fixing the agricultural conversion rates;

Whereas, in accordance with Article 284 of the Act of Accession, Portuguese prices shall be used for the purpose of calculating reference prices as from 1 January 1991;

Whereas, in accordance with Article 272 (3) of the Act of Accession, the prices of Portuguese products will not be used for the purpose of calculating reference prices, during the first stage of accession;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fruit and Vegetables,

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 119, 11. 5. 1990, p. 43.

⁽³⁾ OJ No L 83, 30. 3. 1990, p. 102.

⁽⁴⁾ OJ No L 119, 11. 5. 1990, p. 1.

HAS ADOPTED THIS REGULATION:

— June :	54,59,
— July and August :	60,82,
— September :	56,33,
— October :	50,57,
— November to April :	47,15,
— May :	47,73.

Article 1

For the 1990/91 marketing year, the reference prices for fresh lemons (CN code 0805 30 10), expressed in ecus per 100 kilograms net of packed products of class I, of all sizes, shall be as follows :

Article 2

This Regulation shall enter into force on 1 June 1990.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 31 May 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 1489/90

of 31 May 1990

amending Regulations (EEC) No 756/70, No 548/86 and No 3719/88 as regards proof of release for consumption of certain agricultural products in the Member States

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products⁽¹⁾, as last amended by Regulation (EEC) No 3879/89⁽²⁾, and in particular Article 11 (3) thereof,

Having regard to Council Regulation (EEC) No 467/86 of 25 February 1986 laying down general rules for the system of accession compensatory amounts for cereals⁽³⁾, and in particular Article 7 (1) thereof, and to the corresponding provisions of the other Regulations laying down general rules for the system of accession compensatory amounts applicable to agricultural products,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽⁴⁾, as last amended by Regulation (EEC) No 1340/90⁽⁵⁾, and in particular Articles 12 (2), 15 (5), 16 (6) and 24 thereof, and to the corresponding provisions of the other Regulations on common organizations of the market in agricultural products,

Whereas the provisions below stipulate that evidence of release of products for consumption in the Member States be provided by applying *mutatis mutandis* the provisions of Article 18 (1) of Commission Regulation (EEC) No 3665/87 of 27 November 1987 laying down common detailed rules for the application of the system of export refunds on agricultural products⁽⁶⁾:

— Article 4 (3) of Commission Regulation (EEC) No 756/70 of 24 April 1970 on granting aid for skimmed milk processed into casein and caseinates⁽⁷⁾, as last amended by Regulation (EEC) No 3463/89⁽⁸⁾,

— Article 7 (2) (a) of Commission Regulation (EEC) No 548/86 of 27 February 1986 laying down detailed

rules for the application of accession compensatory amounts⁽⁹⁾, as last amended by Regulation (EEC) No 3107/89⁽¹⁰⁾, and

— Article 30 (1) of Commission Regulation (EEC) No 3719/88 of 16 November 1988 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products⁽¹¹⁾, as last amended by Regulation (EEC) No 1903/89⁽¹²⁾;

Whereas Regulation (EEC) No 3665/87 was last amended by Regulation (EEC) No 354/90⁽¹³⁾ which abolished the use of the customs clearance certificate as evidence of release for consumption in third countries;

Whereas the use of that document as evidence of release for consumption in the Member States should be maintained for the purposes of the abovementioned Regulations;

Whereas the measures provided for in this Regulation are in accordance with the opinions of the Management Committees concerned,

HAS ADOPTED THIS REGULATION:

Article 1

1. The following subparagraph is hereby added to Article 4 (3) of Regulation (EEC) No 756/70:

'In the case of release for consumption in Portugal, the "customs clearance certificate", drawn up on a form in accordance with the model in Annex V, or any other document recognized by the Portuguese customs authorities and identifying the products and proving them to have been released for consumption in Portugal, may also be produced as evidence of importation.'

The Annex to this Regulation shall be added as Annex V to Regulation (EEC) No 756/70.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 378, 27. 12. 1989, p. 1.

⁽³⁾ OJ No L 53, 1. 3. 1986, p. 25.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽⁵⁾ OJ No L 134, 28. 5. 1990, p. 1.

⁽⁶⁾ OJ No L 351, 14. 12. 1987, p. 1.

⁽⁷⁾ OJ No L 91, 25. 4. 1970, p. 28.

⁽⁸⁾ OJ No L 334, 18. 11. 1989, p. 26.

⁽⁹⁾ OJ No L 55, 1. 3. 1986, p. 52.

⁽¹⁰⁾ OJ No L 298, 17. 10. 1989, p. 15.

⁽¹¹⁾ OJ No L 331, 2. 12. 1988, p. 1.

⁽¹²⁾ OJ No L 184, 30. 6. 1989, p. 22.

⁽¹³⁾ OJ No L 38, 10. 2. 1990, p. 34.

2. The first indent of Article 7 (2)(a) of Regulation (EEC) No 548/86 is replaced by the following:

— in accordance with Article 18 (1) of Regulation (EEC) No 3665/87 or by production of the "customs clearance certificate" drawn up on a form in accordance with the model in the Annex or by the production of any other document recognized by the customs authorities of the Member State which identifies the products and shows that they have been released for consumption in that Member State.'

The Annex to this Regulation shall be added as Annex to Regulation (EEC) No 548/86.

3. The last subparagraph of Article 30 (1) of Regulation (EEC) No 3719/88 is replaced by the following:

'Evidence of release for consumption shall be produced in accordance with Article 18 (1) of Regulation (EEC) No 3665/87 or by the production of the

"customs clearance certificate" drawn up on a form in accordance with the model in Annex III or by the production of any other document recognized by the Portuguese customs authorities and identifying the products and proving them to have been released for consumption in Portugal.'

The Annex to this Regulation shall be added as Annex III to Regulation (EEC) No 3719/88.

Article 2

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

It shall apply with effect from 10 February 1990.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 31 May 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

Exporter (translation)	CUSTOMS ENTRY CERTIFICATE (translation)	
Consignee (translation)	Type, No and date of export document (translation)	
	Type and date of transport document (translation)	
	Country of exportation (translation)	Country of destination (translation)
Marks, numbers, number and kind of packages : description of goods (translation)	Gross mass (kg) (translation)	Net quantity (1) (translation)
CUSTOMS ENDORSEMENT (translation)		
This is to certify that the abovementioned goods have been cleared by Customs for home use : (translation)		
Remarks of Customs (translation)	Place (translation) : Date (translation) : Signature and stamp of Customs (translation)	

(1) Kilogram or other unit of measure (translation).

COMMISSION REGULATION (EEC) No 1490/90
of 31 May 1990
amending Regulation (EEC) No 685/69 on detailed rules of application for
intervention on the market in butter and cream

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 3879/89 ⁽²⁾, and in particular Article 6 (7) thereof,

Whereas as provided for in Commission Regulation (EEC) No 685/69 ⁽³⁾, as last amended by Regulation (EEC) No 569/90 ⁽⁴⁾, payment for butter bought in by the intervention agency is to be made within a period commencing the 90th day after the date on which the skimmed-milk powder was taken over; whereas payments are in fact made within shorter periods of time as a result of commercial transactions between individuals; whereas these periods should now be aligned and whereas the minimum period for payment following buying-in should be reduced accordingly to the 45th day after the date on

which the skimmed-milk powder was taken over; whereas the maximum period for payment should be reduced at the same time;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 5 (5) of Regulation (EEC) No 685/69, '90th' and '120th' are replaced by '45th' and '65th' respectively.

Article 2

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 31 May 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 378, 27. 12. 1989, p. 1.

⁽³⁾ OJ No L 90, 15. 4. 1969, p. 12.

⁽⁴⁾ OJ No L 59, 8. 3. 1990, p. 10.

COMMISSION REGULATION (EEC) No 1491/90

of 31 May 1990

implementing promotional and publicity measures in respect of milk and milk products in Portugal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 257 (1) thereof,

Having regard to Council Regulation (EEC) No 1079/77 of 17 May 1977 on a coresponsibility levy and on measures for expanding the markets in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 1113/89 ⁽²⁾,

Whereas, pursuant to Article 4 (3) of Regulation (EEC) No 1079/77, the Commission must inform the Council of the programme of measures it envisages taking to use the funds from the coresponsibility levy; whereas as part of the 14th communication to the Council concerning the programme for the 1990/91 marketing year ⁽³⁾, the Commission proposed to allocate ECU 1 million for carrying out promotional measures in respect of milk and milk products in Portugal; whereas the common arrangements will be applicable to that Member State with effect from 1 January 1991;

Whereas Portugal should already now be given the opportunity to carry out under the best possible conditions the implementation at the beginning of 1991 of promotional measures in respect of milk and milk products;

Whereas in Commission Regulation (EEC) No 1000/90 of 20 April 1990 continuing promotional and publicity measures in respect of milk and milk products ⁽⁴⁾ the conditions under which the said measures may be carried out in the Community are laid down for the 1990/91 marketing year; whereas for reasons which are the same as those given in the abovementioned Regulation, similar provisions should be adopted for Portugal;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

1. Publicity and promotional measures advocating human consumption of milk and milk products shall be encouraged in Portugal under the conditions laid down in

this Regulation. The Commission may, to this effect, invite tenders. Tenderers must in particular furnish proof that they have already successfully implemented publicity and promotional measures.

2. These measures shall be carried out within a year of the signature of the contract referred to in Article 5 (2) and in any case before 1 October 1991. However, a longer time limit may be agreed in exceptional cases in accordance with Article 5 (2) to ensure maximum effectiveness of the measure in question.

3. The time limit fixed in paragraph 2 shall not prevent subsequent agreement to an extension of that time limit where the party to a contract, before the fixed expiry date, makes the appropriate application to the competent authority and proves that, due to exceptional circumstances beyond his control, he is unable to meet the deadline originally stipulated. However, this extension may not exceed six months.

Article 2

1. The publicity and promotional measures referred to in Article 1 (1):

- (a) shall be proposed by organizations representing the dairy sector;
- (b) shall be limited to the territory of Portugal;
- (c) shall be carried out as far as possible by the organization which has made the proposal. In cases where this organization must use subcontractors, the proposal must contain a duly justified request for a derogation;
- (d) must:
 - make use of the publicity media best suited to ensure maximum effectiveness for the measure undertaken,
 - take account of the specific regional conditions obtaining with regard to the marketing and consumption of milk and milk products,
 - be of a general nature and not orientated towards the brands of particular firms,
 - promote Community milk products without reference to their country or region of manufacture; however, this condition does not exclude the mention of the traditional name of a product which includes a specified locality, region or country of the Community,
 - not replace similar measures but, where appropriate expand them.

⁽¹⁾ OJ No L 131, 26. 5. 1977, p. 6.

⁽²⁾ OJ No L 118, 29. 4. 1989, p. 5.

⁽³⁾ Sec(90) 131 final.

⁽⁴⁾ OJ No L 101, 21. 4. 1990, p. 22.

Proposals put forward by organizations whose activities are exclusively or in part concerned with the production, distribution or sales promotion of products which imitate milk and milk products shall not be taken into consideration.

2. The measures referred to in Article 1 shall be carried out by bodies which :

- (a) have the necessary qualifications and experience ;
- (b) ensure the satisfactory completion of the work.

3. The Community contribution is fixed at 100 %.

4. For the purposes of paragraph 3, no account shall be taken of administrative expenses incurred in carrying out these measures.

5. Financing of general expenses incurred in carrying out the measures referred to in Article 1 (1) shall be limited to 2 % of the total amount approved, up to a maximum of ECU 10 000.

Article 3

1. The parties referred to in Article 2 (1) (a) shall be invited to transmit to the competent authority appointed by the Portuguese authorities, hereinafter called 'the competent authority', detailed proposals concerning the measures referred to in Article 1 (1).

2. Proposals must reach the competent authority before 1 September 1990. Where this date is not complied with, the proposal shall be considered null and void.

3. Further details for submission of proposals shall be as set out in the notice from the competent authority and published in the series of the *Official Journal of the European Communities*.

Article 4

1. Complete proposals shall include :

- (a) the name and address of the party concerned ;
- (b) all details concerning the measures proposed together with detailed descriptions and considerations indicating the time required for completion, the expected results and any third party which may be involved ;
- (c) a detailed presentation of the planned strategy for the whole programme ;
- (d) the price asked for these measures, net of taxes, expressed in the currency of the Member State in the territory of which the party concerned is established, giving an itemized breakdown of this amount and showing the corresponding financing plan ; items which account for more than 20 % of the total amount must be subdivided ;
- (e) the desired form of payment of the Community contribution in accordance with Article 7 (1) (a), (b) or (c).

2. A proposal shall be valid only where :

- (a) it is submitted by a party fulfilling the conditions laid down in Article 2 (1) (a) ;

- (b) it is accompanied by an undertaking to comply with the provisions of this Regulation.

Article 5

1. Before 1 October 1990 :

- (a) the competent authority shall examine on a bilateral basis with the Commission and an expert group composed of experts on marketing, advertising and milk marketing all proposals submitted and any supporting documents to check that they are in the correct form and contain the information required. It shall ensure that the proposals comply with the provisions of Article 4 and shall ask applicants for further details if necessary ;
- (b) the competent authority shall compile a list of all the proposals received and send it to the Commission together with copies of each proposal, including any supporting documents, and a reasoned opinion indicating whether or not the proposal conforms with the Regulations.

2. After consulting the relevant interested groups in the milk industry, and following examination of the proposals by the Management Committee for Milk and Milk Products in accordance with Article 31 of Regulation (EEC) No 804/68⁽¹⁾, the Commission shall establish before 1 November 1990 a list of the proposals selected for financing.

3. The competent authority shall conclude contracts for the measures selected with the parties concerned between 1 January and 28 February 1991, in at least two copies signed by the interested party and the competent authority.

The competent authority shall for this purpose use standard contracts to be provided by the Commission.

4. The competent authority shall inform each applicant as soon as possible of the decision taken in respect of his proposal.

Article 6

1. The contract referred to in Article 5 (3) shall :

- (a) include the details referred to in Article 4 (1) or make reference to them ;
- (b) supplement these details, where necessary, by additional provisions arising from the application of Article 5 (1).

2. The competent authority shall send the contract to the Commission without delay.

3. The competent authority shall ensure compliance with the agreed conditions in particular by means of on-the-spot checks.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

Article 7

1. The competent authority shall pay to the party in question, in accordance with the choice indicated in the latter's proposal, either :

- (a) within six weeks of the date of signature of the contract, a single payment on account amounting to 60 % of the agreed Community contribution ; or
- (b) at two-monthly intervals, four equal instalments each amounting to 20 % of the agreed Community contribution, the first such instalment being paid within six weeks of the date of signature of the contract ; or
- (c) within six weeks of the date of signature of the contract, a single payment on account amounting to 80 % of the agreed Community contribution ; however, this form of payment may be stipulated only for measures which will be fully completed within a maximum of two months of the date of signature of the contract.

However, while a contract is being performed, the competent authority may :

- defer payment of an instalment either wholly or in part where it finds, in particular during the checks referred to in Article 6 (3), irregularities in carrying out the measures concerned or a substantial interval between the due date for payment of the instalment and the date when the party concerned will actually incur the forecast expenditure,
- in exceptional cases, advance payment of an instalment either wholly or in part if the party concerned submits a reasoned request and shows that he must incur a substantial part of the expenditure significantly earlier than the date laid down for payment of the Commission contribution towards the said expenditure.

2. The payment of such instalment shall be conditional upon the lodging with the competent authority of a security equal to the amount of the instalment, plus 10 %.

3. The release of securities and payment of the balance by the competent authority shall be subject to :

- (a) confirmation by the competent authority that the party concerned fulfilled its obligations as laid down in the contract ;
- (b) transmission to the competent authority of the report referred to in Article 8 (1) and verification of the details contained in this report by the competent authority.
However, on reasoned request by the party concerned, the balance can be paid after the measure has been completed, and after submission of the report referred to in Article 8, and on condition that securities equal to the total amount of the Community contribution plus 10 % have been lodged ;
- (c) the competent authority finding that the party concerned, or any third party named in the contract, has spent his own contribution for the purposes laid down.

4. Insofar as the conditions set out in paragraph 3 are not fulfilled, the securities shall be forfeit. In this event, the amount in question shall be deducted from the European Agricultural Guidance and Guarantee Fund, Guarantee Section, expenditure, and more particularly from that arising out of the measure referred to in Article 4 of Regulation (EEC) No 1079/77.

Article 8

1. Each party responsible for one of the measures referred to in Article 1 (1) shall submit to the competent authority, within four months of the final date fixed in the contract for completion of the measures, a detailed report on the utilization of the Community funds allocated and on the foreseeable results of the measures in question, in particular concerning the evolution of the sales of milk and milk products.

2. On performance of each contract, the competent authority shall send the Commission a statement to this effect and a copy of the final report.

Article 9

This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Communities*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 31 May 1990.

For the Commission
Ray MAC SHARRY
Member of the Commission

COMMISSION REGULATION (EEC) No 1492/90

of 31 May 1990

reducing the basic price and buying-in price for peaches, nectarines and lemons for the 1990/91 marketing year following the monetary realignment of 5 January 1990 and the overrun of the intervention threshold

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 1193/90⁽²⁾, and in particular Article 16b (4) thereof,

Having regard to Council Regulation (EEC) No 1677/85 of 11 July 1985 on monetary compensatory amounts in agriculture⁽³⁾, as last amended by Regulation (EEC) No 1889/87⁽⁴⁾, and in particular Article 6 (3) thereof,

Whereas Commission Regulation (EEC) No 784/90 of 29 March 1990 fixing the reducing coefficient for agricultural prices in the 1990/91 marketing year as a result of the monetary realignment of 5 January 1990 and amending the prices and amounts fixed in ecus for that marketing year⁽⁵⁾ establishes the list of prices and amounts to which the coefficient 1,001712 is applied within the framework of the arrangements on the automatic dismantlement of negative monetary gaps; whereas Article 3 of Regulation (EEC) No 784/90 provides that the resulting reduction for the prices and amounts fixed in ecus by the Council for the 1990/91 marketing year be specified and that the value of those reduced prices and amounts be fixed; whereas the basic price and buying-in price for peaches, nectarines and lemons for the 1990/91 marketing year were fixed by Council Regulation (EEC) No 1194/90⁽⁶⁾;

Whereas Commission Regulation (EEC) No 1370/89⁽⁷⁾ fixed the intervention thresholds for the 1989/90 marketing year at 376 600 tonnes for peaches, 45 800 tonnes for nectarines and 158 300 tonnes for lemons;

Whereas Article 3 of Regulation (EEC) No 1122/89 of 27 April 1989 laying down specific measures for the application of certain intervention thresholds in the fruit and

vegetables sector for the 1989/90 marketing year⁽⁸⁾ lays down that where, during the 1989/90 marketing year, the sum of the quantities of peaches, nectarines or lemons bought in Spain, on the one hand, and in the Community of Ten on the other, pursuant to Articles 15, 15a, 15b, 19 and 19a of Regulation (EEC) No 1035/72 exceeds the sum of the intervention thresholds fixed for each product for all or part of that marketing year, the basic and buying-in prices fixed for that product for the 1990/91 marketing year are to be reduced in the case of peaches, nectarines and lemons by 1 % for every 22 700 tonnes, 2 900 tonnes and 11 000 tonnes respectively by which the intervention threshold is exceeded;

Whereas, pursuant to Article 2 (2) of Regulation (EEC) No 1370/89, the overrun in the intervention threshold fixed for lemons for the 1989/90 marketing year is to be assessed on the basis of quantities bought in between 1 March 1989 and 28 February 1990;

Whereas, on the basis of information supplied by the Member States, the intervention measures taken by the Community with the exception of Portugal for the 1989/90 marketing year related to 515 141 tonnes for peaches, 82 473 tonnes for nectarines and 195 564 tonnes for lemons; whereas the Commission therefore noted an overrun in the intervention thresholds fixed for that marketing year of 138 541 tonnes for peaches, 37 264 tonnes for nectarines and 37 925 tonnes for lemons;

Whereas consequently, the basic and buying-in prices for peaches, nectarines and lemons for the 1990/91 marketing year, as fixed by Regulation (EEC) No 1194/90, must be reduced for peaches by 6 %, for nectarines by 12 % and for lemons by 3 %; whereas these reductions must be added to those resulting from the monetary realignment of 5 January 1990;

Whereas during the first phase Portugal is authorized to maintain, in the fruit and vegetable sectors, the regulations in force under the former national arrangements for the organization of its agricultural internal market, subject to the conditions provided for in Articles 262 to 265 of the Act of Accession; whereas, therefore, the prices and the amounts fixed by this Regulation are valid only in the Community with the exception of Portugal;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fruit and Vegetables,

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 119, 11. 5. 1990, p. 43.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 6.

⁽⁴⁾ OJ No L 182, 3. 7. 1987, p. 1.

⁽⁵⁾ OJ No L 83, 30. 3. 1990, p. 102.

⁽⁶⁾ OJ No L 119, 11. 5. 1990, p. 46.

⁽⁷⁾ OJ No L 137, 20. 5. 1989, p. 19.

⁽⁸⁾ OJ No L 118, 29. 4. 1989, p. 23.

HAS ADOPTED THIS REGULATION :

6,16 % for peaches, 12,15 % for nectarines and 3,17 % for lemons and shall be as set out in the Annex.

Article 1

The basic and buying-in prices for peaches, nectarines and lemons for the 1990/91 marketing year, as fixed by Regulation (EEC) No 1194/90, shall be reduced by

Article 2

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 31 May 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

BASIC AND BUYING-IN PRICES

1990/91 marketing year

PEACHES

For the period 1 June to 30 September 1990

(ECU/100 kg net)

	Basic price		Buying-in price	
	EUR 10	Spain	EUR 10	Spain
June	42,69	40,62	23,71	22,56
July to September	40,30	38,47	22,58	21,55

These prices relate to peaches of the following varieties : Amsden, Cardinal, Charles Ingouf, Dixired, Jeronimo, J. H. Hale, Merrill Gemfree, Michelini, Red Haven, San Lorenzo, Springerest, quality class I, size 61 to 76 mm, put up in packages.

NECTARINES

For the period 1 June to 31 August 1990

(ECU/100 kg net)

	Basic price		Buying-in price	
	EUR 10	Spain	EUR 10	Spain
June	52,34	52,34	25,12	25,12
July to September	47,96	47,96	23,02	23,02

These prices relate to nectarines of the following varieties : Armiking, Crimsongold, Early sun grand, Fantasia, Independence, May Grand, Nectared, Snow Queen and Stark red gold, quality class I, size 61 to 67 mm, put up in packages.

LEMONS

For the period 1 June 1990 to 31 May 1991

(ECU/100 kg net)

	Basic price		Buying-in price	
	EUR 10	Spain	EUR 10	Spain
June	41,33	26,48	24,27	15,56
July	42,34	27,05	24,90	15,92
August	41,91	26,81	24,77	15,85
September	37,53	24,34	23,37	15,06
October	35,36	23,11	22,99	14,91
November	34,35	22,54	20,07	13,19
December	33,72	22,18	19,82	13,05
January	34,73	22,75	20,33	13,34
February	33,47	22,04	19,70	12,98
March	34,86	22,83	20,33	13,34
April	36,51	23,76	21,34	13,91
May	37,39	24,26	21,85	14,20

These prices relate to lemons of quality class I, size 53 to 62 mm, put up in packages.

COMMISSION REGULATION (EEC) No 1493/90

of 31 May 1990

fixing the quantities of frozen beef intended for processing which may be imported on special conditions for the first and second quarters of 1990

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EEC) No 571/89 ⁽²⁾, and in particular Article 14 (4) (a) and (c) thereof,

Whereas the Council, under a special import system applicable to frozen beef and veal intended for processing, has drawn up, for the period 1 January to 31 December 1990 an estimate of 50 000 tonnes divided into two quantities of 25 000 tonnes each, according to the type of product to be obtained;

Whereas, pursuant to Article 14 (4) (a) of Regulation (EEC) No 805/68, it is necessary to determine the quantities to be imported per quarter as well as the rate of reduction of the import levy for meat referred to in Article 14 (1) (b) of that Regulation;

Whereas, with a view to imports in the first two quarters, the term of validity of the licences referred to in Article 4 (b) of Commission Regulation (EEC) No 2377/80 ⁽³⁾, as last amended by Regulation (EEC) No 970/90 ⁽⁴⁾, should be extended;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Beef and Veal,

HAS ADOPTED THIS REGULATION:

Article 1

For the first and second quarters of 1990 the maximum quantities referred to in Article 14 (4) (a) of Regulation (EEC) No 805/68 shall be as follows:

- in respect of the meat referred to in Article 14 (1) (a) of Regulation (EEC) No 805/68, 12 500 tonnes of meat, expressed in bone-in meat,
- in respect of the meat referred to in Article 14 (1) (b) of the said Regulation, 12 500 tonnes of meat, expressed in bone-in meat.

Article 2

The levy on import of the meat referred to in the second indent of Article 1 shall be equal to the levy applicable on the day of import less 55 %.

Article 3

By way of derogation from Article 4 (b) of Regulation (EEC) No 2377/80, the term of validity of licences issued under this Regulation shall extend for six months from their actual date of issue.

Article 4

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 31 May 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 61, 4. 3. 1989, p. 43.

⁽³⁾ OJ No L 241, 13. 9. 1980, p. 5.

⁽⁴⁾ OJ No L 99, 19. 4. 1990, p. 8.

COMMISSION REGULATION (EEC) No 1494/90

of 31 May 1990

derogating for the first and second quarters of 1990 from Regulation (EEC) No 2377/80 in respect of the issue of import licences under certain special arrangements in the beef and veal sector and amending Regulation (EEC) No 3834/89

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽¹⁾, as last amended by Regulation (EEC) No 571/89⁽²⁾,

Whereas certain special arrangements for products in the beef and veal sector, referred to in Articles 10 and 11 of Commission Regulation (EEC) No 2377/80⁽³⁾, as last amended by Regulation (EEC) No 970/90⁽⁴⁾, have only been decided in May 1990 for 1990; whereas consequently it is necessary to derogate from Regulation (EEC) No 2377/80 with regard to the periods for lodging applications and for the granting of licences within the framework of these special systems;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Beef and Veal,

HAS ADOPTED THIS REGULATION:

Article 1

For the first and second quarters of 1990, notwithstanding Article 15 of Regulation (EEC) No 2377/80 and in respect of the arrangements referred to in Articles 10 and 11 of the said Regulation:

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 31 May 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

- (a) applications may only be lodged from 1 until 8 June 1990;
- (b) the information provided for in Article 15 (4) (b) of the said Regulation shall be provided on 13 June 1990;
- (c) the licences provided for in Article 15 (5) (a) of the said Regulations shall be issued from 18 June 1990.

Article 2

Article 1 of Commission Regulation (EEC) No 3834/89⁽⁵⁾ is replaced by the following:

Article 1

Article 15 of Regulation (EEC) No 2377/80 notwithstanding:

- no application for a licence may be lodged in respect of the arrangement referred to in Article 9 of Regulation (EEC) No 2377/80,
- the information provided for in Article 15 (4) (a) of the said Regulation shall not be communicated.

Article 3

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 61, 4. 3. 1989, p. 43.

⁽³⁾ OJ No L 241, 13. 9. 1980, p. 5.

⁽⁴⁾ OJ No L 99, 19. 4. 1990, p. 8.

⁽⁵⁾ OJ No L 372, 21. 12. 1989, p. 26.

COMMISSION REGULATION (EEC) No 1495/90
of 31 May 1990
fixing the import levies on white sugar and raw sugar

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EEC) No 1069/89 ⁽²⁾, and in particular Article 16 (8) thereof,

Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EEC) No 1920/89 ⁽³⁾, as last amended by Regulation (EEC) No 1445/90 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1920/89 to the information known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies referred to in Article 16 (1) of Regulation (EEC) No 1785/81 shall be, in respect of white sugar and standard quality raw sugar, as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 June 1990.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 31 May 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 114, 27. 4. 1989, p. 1.

⁽³⁾ OJ No L 187, 1. 7. 1989, p. 13.

⁽⁴⁾ OJ No L 138, 31. 5. 1990, p. 29.

ANNEX

to the Commission Regulation of 31 May 1990 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	31,54 ⁽¹⁾
1701 11 90	31,54 ⁽¹⁾
1701 12 10	31,54 ⁽¹⁾
1701 12 90	31,54 ⁽¹⁾
1701 91 00	34,08
1701 99 10	34,08
1701 99 90	34,08 ⁽²⁾

⁽¹⁾ Applicable to raw sugar with a yield of 92 % ; if the yield is other than 92 %, the levy applicable is calculated in accordance with the provisions of Article 2 of Commission Regulation (EEC) No 837/68 (OJ No L-151, 30. 6. 1968, p. 42).

⁽²⁾ In accordance with Article 16 (2) of Regulation (EEC) No 1785/81 this amount is also applicable to sugar obtained from white and raw sugar containing added substances other than flavouring or colouring matter.

COMMISSION REGULATION (EEC) No 1496/90**of 31 May 1990****altering the export refunds on white sugar and raw sugar exported in the natural state**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EEC) No 1069/89 ⁽²⁾, and in particular the second subparagraph of Article 19 ⁽⁴⁾ thereof,

Whereas the refunds on white sugar and raw sugar exported in the natural state were fixed by Commission Regulation (EEC) No 1406/90 ⁽³⁾, as last amended by Regulation (EEC) No 1447/90 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1406/90 to the infor-

mation known to the Commission that the export refunds at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81, undenatured and exported in the natural state, as fixed in the Annex to amended Regulation (EEC) No 1406/90 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 June 1990.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 31 May 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 114, 27. 4. 1989, p. 1.

⁽³⁾ OJ No L 133, 24. 5. 1990, p. 82.

⁽⁴⁾ OJ No L 138, 31. 5. 1990, p. 32.

ANNEX

to the Commission Regulation of 31 May 1990 altering the export refunds on white sugar
and raw sugar exported in the natural state

(ECU)

Product code	Amount of refund	
	per 100 kg	per percentage point of sucrose content and per 100 kg net of the product in question
1701 11 90 100	26,95 ⁽¹⁾	
1701 11 90 910	26,95 ⁽¹⁾	
1701 11 90 950	⁽²⁾	
1701 12 90 100	26,95 ⁽¹⁾	
1701 12 90 910	26,95 ⁽¹⁾	
1701 12 90 950	⁽²⁾	
1701 91 00 000		0,2930
1701 99 10 100	29,30	
1701 99 10 910	29,30	
1701 99 10 950	28,30	
1701 99 90 100		0,2930

⁽¹⁾ Applicable to raw sugar with a yield of 92 % ; if the yield is other than 92 %, the refund applicable is calculated in accordance with the provisions of Article 5 (3) of Regulation (EEC) No 766/68.

⁽²⁾ Fixing suspended by Commission Regulation (EEC) No 2689/85 (OJ No L 255, 26. 9. 1985, p. 12), as amended by Regulation (EEC) No 3251/85 (OJ No L 309, 21. 11. 1985, p. 14).

COMMISSION REGULATION (EEC) No 1497/90

of 31 May 1990

amending the prices and amounts fixed for cereals in ecus for the 1990/91 marketing year as a result of the monetary realignment of 5 January 1990 in accordance with the stabilizer mechanism

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1677/85 of 11 June 1985 on monetary compensatory amounts in agriculture ⁽¹⁾, as last amended by Regulation (EEC) No 1889/87 ⁽²⁾, and in particular Article 6 (3) thereof,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽³⁾, as last amended by Regulation (EEC) No 1340/90 ⁽⁴⁾, and in particular Article 4b (3) thereof,

Whereas Commission Regulation (EEC) No 784/90 of 29 March 1990 fixing the reducing coefficient for agricultural prices in the 1990/91 marketing year as a result of the monetary realignment of 5 January 1990 and amending the prices and amounts fixed in ecus for that marketing year ⁽⁵⁾ draws up the list of prices and amounts to which the coefficient 1,001712 is applied under the arrangements for the automatic dismantlement of negative monetary gaps; whereas the prices and amounts fixed in ecus by the Commission for the 1990/91 marketing year must take account of the resulting reduction;

Whereas the Commission has noted pursuant to Article 4b (4) of Regulation (EEC) No 2727/75 that production of cereals in 1989/90 has exceeded the maximum guaranteed quantity for the marketing year in question; whereas, pursuant to Article 4b (3) of Regulation (EEC) No 2727/75, the intervention prices fixed for the cereals by

the Council for the 1990/91 marketing year should be reduced by 3 % and the target prices should be adjusted;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

The intervention and target prices fixed in ecus by the Council for the 1990/91 season in the cereals sector are reduced in accordance with Article 2 of Regulation (EEC) No 784/90. They are rounded to the fifth significant figure.

The other amounts in the Annex to the above Regulation which concern the cereals and starch sectors, with the exception of the threshold prices, are as indicated in Annex I to this Regulation.

Article 2

Pursuant to Article 4 (b) (3) of Regulation (EEC) No 2727/75, the intervention prices and the target prices applicable for the 1990/91 season in the cereals sector, are those set out in Annex II to this Regulation.

Article 3

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 31 May 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 6.

⁽²⁾ OJ No L 182, 3. 7. 1987, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽⁴⁾ OJ No L 134, 28. 5. 1990, p. 1.

⁽⁵⁾ OJ No L 83, 30. 3. 1990, p. 102.

ANNEX I

	<i>(ECU/tonne)</i>
CEREALS	
Cereals sector	
The special premium referred to in Article 3 (1) of Council Regulation (EEC) No 2727/75 :	
— for common wheat	3,47
— for rye	8,43
Co-responsibility levy referred to in Article 4 of Regulation (EEC) No 2727/75	5,06
Overall amount and apportionment per Member State of direct aid to small producers referred to in Article 2 of Council Regulation (EEC) No 729/89	219,62
Production aid for durum wheat referred to in Article 10 of Regulation (EEC) No 2727/75 :	
— Community of Ten	171,14
— Spain	110,79
Production aid for certain varieties of flint maize referred to in Article 10a of Regulation (EEC) No 2727/75	124,79
Starch products sector	
Minimum price for potatoes by starch content, referred to in Article 1 (2) of Council Regulation (EEC) No 1008/86	248,67
Premium to potato starch manufacturers referred to in Article 2 of Regulation (EEC) No 1008/86	18,67

ANNEX II

	<i>(ECU/tonne)</i>		<i>(ECU/tonne)</i>
COMMON WHEAT		MAIZE	
Intervention price	168,55	Intervention price	168,55
Target price	234,22	Common target price	213,29
RYE		GRAIN SORGHUM	
Intervention price	160,13	Intervention price	160,13
Common target price	213,29	Common target price	213,29
BARLEY		DURUM WHEAT	
Intervention price	160,13	Intervention price	
		— Community of Ten	235,96
		— Spain	212,71
Common target price	213,29	Target price	287,38

COMMISSION REGULATION (EEC) No 1498/90
of 31 May 1990

on the additional co-responsibility levy on cereals for the 1990/91 marketing year
and the overall amounts of the aid under the special arrangements applicable to
small producers

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No 2727/75
of 29 October 1975 on the common organization of the
market in cereals ⁽¹⁾, as last amended by Regulation (EEC)
No 1340/90 ⁽²⁾, and in particular Article 4b (5) thereof,

Whereas, in accordance with Article 4b (2) of Regulation
(EEC) No 2727/75, the additional co-responsibility levy is
to be equal to 1,5 % of the intervention price for bread-
making common wheat at the beginning of the market-
ing year ;

Whereas the intervention price to be taken into account
when fixing the additional co-responsibility levy is that
referred to in Commission Regulation (EEC) No 1497/90
of 31 May 1990 amending the prices and amounts fixed
for cereals in ecus for the 1990/91 marketing year and in
accordance with the stabilizer mechanism ⁽³⁾ ;

Whereas Article 2 (3) of Council Regulation (EEC) No
729/89 of 20 March 1989 laying down general rules for
the special arrangements applicable to small producers as
part of the co-responsibility arrangements in the cereals
sector ⁽⁴⁾, as last amended by Regulation (EEC) No
1347/90 ⁽⁵⁾, provides that the overall amount and the
amounts allocated to the Member States are to be multi-

plied by a coefficient to take account of the additional
co-responsibility levy actually applied ; whereas that coef-
ficient should be fixed ;

Whereas the measures provided for in this Regulation are
in accordance with the opinion of the Management
Committee for Cereals,

HAS ADOPTED THIS REGULATION :

Article 1

The additional co-responsibility levy for the 1990/91
marketing year as referred to in Article 4b of Regulation
(EEC) No 2727/75 shall be ECU 2,53 per tonne.

Article 2

The coefficient referred to in Article 2 (3) of Regulation
(EEC) No 729/89 shall be 0,75.

Article 3

This Regulation shall enter into force on the day
following its publication in the *Official Journal of the
European Communities*.

It shall apply from 1 June 1990.

This Regulation shall be binding in its entirety and directly applicable in all Member
States.

Done at Brussels, 31 May 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 134, 28. 5. 1990, p. 1.

⁽³⁾ See page 118 of this Official Journal.

⁽⁴⁾ OJ No L 80, 23. 3. 1989, p. 5.

⁽⁵⁾ OJ No L 134, 28. 5. 1990, p. 12.

COMMISSION REGULATION (EEC) No 1499/90

of 31 May 1990

altering the import levies on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1340/90⁽²⁾, and in particular Article 14 (4) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽³⁾, as last amended by Regulation (EEC) No 1806/89⁽⁴⁾, and in particular Article 12 (4) thereof,

Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy⁽⁵⁾, as last amended by Regulation (EEC) No 1636/87⁽⁶⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the import levies on products processed from cereals and rice were fixed by Commission Regulation (EEC) No 1451/90⁽⁷⁾;

Whereas Council Regulation (EEC) No 1906/87⁽⁸⁾ amended Council Regulation (EEC) No 2744/75⁽⁹⁾ as regards products falling within CN codes 2302 10, 2302 20, 2302 30 and 2302 40;

Whereas, if the levy system is to operate normally, levies should be calculated on the following basis:

- (¹) OJ No L 281, 1. 11. 1975, p. 1.
 (²) OJ No L 134, 28. 5. 1990, p. 1.
 (³) OJ No L 166, 25. 6. 1976, p. 1.
 (⁴) OJ No L 177, 24. 6. 1989, p. 1.
 (⁵) OJ No L 164, 24. 6. 1985, p. 1.
 (⁶) OJ No L 153, 13. 6. 1987, p. 1.
 (⁷) OJ No L 138, 31. 5. 1990, p. 39.
 (⁸) OJ No L 182, 3. 7. 1987, p. 49.
 (⁹) OJ No L 281, 1. 11. 1975, p. 65.

— in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Regulation (EEC) No 1676/85,

— for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient;

Whereas these exchange rates being those recorded on 30 May 1990;

Whereas the aforesaid corrective factor affects the entire calculation basis for the levies, including the equivalence coefficients;

Whereas the levy on the basic product as last fixed differs from the average levy by more than ECU 3,02 per tonne of basic product; whereas, pursuant to Article 1 of Commission Regulation (EEC) No 1579/74⁽¹⁰⁾, as last amended by Regulation (EEC) No 1740/78⁽¹¹⁾, the levies at present in force must therefore be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products processed from cereals and rice covered by Regulation (EEC) No 2744/75 as fixed in the Annex to Regulation (EEC) No 1451/90 are hereby altered to the amounts set out in the Annex.

Article 2

This Regulation shall enter into force on 1 June 1990.

(¹⁰) OJ No L 168, 25. 6. 1974, p. 7.

(¹¹) OJ No L 202, 26. 7. 1978, p. 8.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 31 May 1990.

For the Commission
Ray MAC SHARRY
Member of the Commission

ANNEX

to the Commission Regulation of 31 May 1990 altering the import levies on products processed from cereals and rice

(ECU/tonne)

CN code	Import levies		
	Portugal	ACP or OCT	Third countries (other than ACP or OCT)
1102 90 90	60,86	147,57	150,59
1103 19 90	60,86	147,57	150,59
1103 21 00	79,44	269,39	275,43
1103 29 90	60,86	147,57	150,59
1104 19 10	79,44	269,39	275,43
1104 19 99	108,12	260,42	266,46
1104 29 11	57,26	199,05	202,07
1104 29 19	93,76	231,49	234,51
1104 29 31	68,27	239,46	242,48
1104 29 39	93,76	231,49	234,51
1104 29 91	44,62	152,65	155,67
1104 29 99	60,86	147,57	150,59
1104 30 10	36,63	112,25	118,29
1107 10 11	83,47	266,39	277,27
1107 10 19	65,12	199,05	209,93
1108 11 00	110,27	329,25	349,80
1109 00 00	344,46	598,64	779,98

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 21 May 1990

introducing a Community financial measure for the eradication of brucellosis in sheep and goats.

(90/242/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas the continued presence of brucellosis in sheep and goats, particularly in the Member States in the Mediterranean basin, is a severe threat to human and animal health;

Whereas the continued presence of this disease constitutes a barrier to the free movement of sheep and goats;

Whereas the eradication of this disease constitutes an essential prerequisite for the establishment — with regard to trade in sheep and goats and their products and by-products — of the internal market in sheep and goats as well as for increasing the productivity of breeding and, consequently, improving the standard of living of persons engaged in this sector;

Whereas the Member States concerned are to present a plan for the eradication of brucellosis in sheep and goats;

Whereas it is, moreover, necessary to lay down the conditions in which slaughter, isolation, cleaning and disinfection should take place and the use which should be made of certain animal products;

Whereas Community financial aid will be in the form of a reimbursement to Member States of a part of the slaughter premium compensating owners of infected sheep and goats for the rapid disposal of such animals;

Whereas the eradication plans must include measures ensuring the effectiveness of the action undertaken; whereas a procedure closely associating the Member States and the Commission should be introduced by means of which such measures can be adopted and adapted as the situation develops;

Whereas the Member States should be kept regularly informed of the progress of the measures undertaken,

HAS ADOPTED THIS DECISION:

Article 1

The French Republic, the Hellenic Republic, the Italian Republic, the Kingdom of Spain and the Portuguese Republic shall, within three months of notification of this Decision, present plans for the eradication of brucellosis (*Brucella melitensis*) in sheep and goats.

Article 2

For the purposes of this Decision:

1. (a) 'sheep and goats' means the animals as defined in Article 1 of Council Regulation (EEC) No 3013/89 of 25 September 1989 on the common organization of the market in sheepmeat and goatmeat ⁽⁴⁾;

⁽¹⁾ OJ No C 327, 30. 12. 1989, p. 51.

⁽²⁾ OJ No C 113, 7. 5. 1990.

⁽³⁾ OJ No C 62, 12. 3. 1990, p. 49.

⁽⁴⁾ OJ No L 289, 7. 10. 1989, p. 1.

- (b) 'official brucellosis test' means any serological test described in the Annex or any other test recognized by the Commission in accordance with the procedure laid down in Article 12 of this Decision ;
2. the definitions laid down in Article 2 of Directive 64/432/EEC ⁽¹⁾, as last amended by Directive 89/360/EEC ⁽²⁾, shall apply as appropriate.

Article 3

The plans referred to in Article 1 must :

1. indicate the central authorities which are to implement and coordinate the plan ;
 2. ensure that the presence and suspected presence of brucellosis are compulsorily and immediately notifiable to the competent authority ;
 3. provide for a registration of holdings engaged in sheep and goat farming ;
 4. be so devised that, on completion of the plan, the holdings are classified as officially brucellosis-free or brucellosis-free ;
 5. ban the therapeutic treatment of brucellosis ;
 6. specify those parts of the territory in which brucellosis vaccination shall be carried out and those in which it shall be banned ;
 7. indicate the number and the location of the holdings and animals which are to be subjected to testing during each year of the plan ;
 8. indicate the national budgetary allocations for the eradication of ovine and caprine brucellosis and the breakdown by item of these allocations and in particular the estimated unit costs for slaughter compensation as well as estimated total costs on an annual basis for carrying out the operations ;
 9. establish an identification system which makes it possible to monitor movements of sheep and goats ;
 10. provide for immediate and adequate compensation for the owners of sheep and goats which have been slaughtered because they have reacted positively to an official brucellosis test or because they were suspected by the competent authority of being infected ;
 11. ensure that, where a holding contains an animal suspected of having brucellosis, the competent authority carry out investigations as soon as possible to confirm or rule out the presence of the disease.
- Pending the outcome of these investigations, the competent authorities shall order :
- the holding to be placed under official surveillance,
 - the prohibition of all movement into or out of the holding unless authorized by the competent authorities for the purpose of slaughter without delay,
 - isolation, within the holding, of the suspect animals ;
12. ensure that the orders referred to in paragraph 11 are not rescinded until the presence or suspected presence of brucellosis on the holding concerned has been officially ruled out ;
 13. ensure that, where the presence of brucellosis is officially confirmed on a holding, the competent authority shall take appropriate measures to prevent any spread of the disease and shall ensure in particular that :
 - (a) all movement into or out of the flock in question is forbidden, unless in the case of outward movement authorized by the competent authorities for the purpose of slaughter without delay ;
 - (b) animals in which the presence of brucellosis has been officially confirmed, animals which have been examined as stipulated in subparagraph (c) below with unfavourable results, animals which may have been contaminated by those animals and animals considered by the competent authorities as infected are isolated and marked until their slaughter pursuant to Article 4 ;
 - (c) the remaining animals are without delay subjected to an official brucellosis test ;
 - (d) milk from infected animals on a holding is suitably isolated and be used only on that holding and after undergoing suitable heat treatment, for the purpose of making a feedingstuff therefrom or for producing cheese ;
 - (e) milk from farm animals which have not been infected on an infected holding may leave the holding only after undergoing suitable heat treatment ;
 - (f) carcasses, half-carcasses, quarters, pieces and offal from infected animals intended for use as feed for animals are treated in such a way as to avoid contamination ;
 - (g) fetuses, stillborn offspring or animals which have died from brucellosis, or placentae, are carefully disposed of and destroyed immediately, unless they are to be examined ;

⁽¹⁾ OJ No 121, 29. 7. 1964, p. 1977/64.

⁽²⁾ OJ No L 153, 6. 6. 1989, p. 29.

- (h) straw, litter or any other matter or substance which has come into contact with the infected animal(s) or with the placentae is destroyed immediately, burnt or buried after soaking in a disinfectant product approved by the competent authority or, where materials are concerned, they are disinfected, before being used again, by means of the said disinfectant product;
- (i) official regulations for the control of establishments such as carcase disposal plants ensure that there is no danger of the material produced spreading brucellosis;
- (j) manure from sheds or other quarters used by the animals is stored in a place inaccessible to farm animals, treated with a suitable disinfectant approved by the competent authority and stored for at least three weeks. It must on no account be used for spreading on market garden crops. Use of disinfectant is not required if the manure is covered with a layer of earth. Liquid waste from sheds or other quarters used by the animals must be disinfected if it is not collected at the same time as the manure.

Article 4

Member States shall ensure that animals in which the presence of brucellosis has been officially confirmed following a bacteriological, anatomo-pathological, allergic or serological examination and those considered by the official competent authorities to be infected are slaughtered under official supervision as soon as possible and not later than 30 days after their owner or the person in charge of them has been officially notified of the results of the tests or examinations and of his obligation, under the eradication plan, to deliver for slaughter the sheep and/or goats concerned within that time limit.

According to the procedure provided for in Article 12, the Commission may authorize a Member State to extend to 45 days the slaughter time limit provided for in the first subparagraph, to take account of the difficulties connected with certain geographical situations.

Article 5

The plans referred to in Article 1 must also ensure that :

1. after the slaughter of the animals referred to in Article 4 and prior to restocking, sheds and other flock quarters, and all containers, equipment and other articles used for the animals are cleaned and disinfected under official supervision, in accordance with the instructions given by the official veterinarian. Re-use of pastures which have contained the animals must not take place for 60 days after their removal from such pastures;
2. all means of transport of containers and equipment are cleaned and disinfected after the transport of animals from an infected holding, or of materials from such

animals, or of materials or substances which have been in contact with such animals. Loading areas for such animals must be cleaned and disinfected after use;

3. the disinfectant to be used and its concentrations are authorized by the competent authority;
4. after the slaughter of animals referred to in Article 4 and prior to restocking, no animals may enter or leave the infected holding concerned unless authorization has been given by the competent authority for the purpose of slaughter without delay;
5. official brucellosis tests are carried out on the infected holding concerned to confirm that the disease has been eliminated;
6. the infected holding is not restocked with animals for breeding until the animals over six months old remaining on it for this purpose have passed one or more official brucellosis tests.

However, for sheep and goats which have been vaccinated — where every animal on a holding has been vaccinated before the age of seven months using a REV 1 vaccine or any other vaccine approved by the Commission in accordance with the procedure laid down in Article 12 — these tests need only be carried out on animals more than 18 months old. The Commission may, in certain special circumstances and in accordance with the procedure laid down in Article 12, authorize a Member State, when it comes to examination of the plan to be submitted pursuant to Article 6, to carry out the said tests on animals more than 30 months old;

7. should brucellosis be diagnosed in a sheep or goat which :
 - has returned from transhumance,
 - mixes regularly with sheep and goats from other holdings, in particular in the course of grazing, milking or transhumance,

all of the holdings which supplied animals, in particular for transhumance, grazing or milking, are regarded as one large infected holding and subjected to official brucellosis tests to confirm that the disease has been eliminated.

Article 6

The Commission shall examine the plans drawn up by the authorities of the Member States concerned in order to ascertain whether they meet the conditions for their approval or whether they should be amended in any way. The plans, including any amendments to them, shall be approved by the Commission in accordance with the procedure laid down in Article 12.

Article 7

The measure provided for in this Decision shall qualify for financial aid from the Community.

Article 8

1. Community financial assistance shall be granted for compensation to the owners of animals slaughtered in accordance with Article 4 for a period of three years from the date fixed by the Commission in its decision approving the plans referred to in Article 1.

2. The estimated assistance to be charged to the general budget of the European Communities under the chapter covering expenditure relating to agriculture shall be ECU 15 million for the duration of the period provided for in paragraph 1.

Article 9

1. On condition that all the measures laid down are applied and are in conformity with the plan approved pursuant to Article 12, the expenditure incurred by the Member States under Article 4 shall qualify for Community financial assistance within the limits laid down in Article 8.

2. The Community shall reimburse the Member States ECU 40 per sheep or goat slaughtered under the eradication plan.

However, in order to meet certain particular situations, including the need to step up eradication measures, the level of the Community's financial contribution may be increased by the Commission in accordance with the procedure provided for in Article 12, up to a level of 50 % of the costs incurred by the Member States as compensation for the owners of the animals which have been slaughtered.

3. Detailed rules for the application of this Article shall be adopted, as required, in accordance with the procedure laid down in Article 12.

Article 10

1. Applications for payment shall relate to slaughtering by Member States during the calendar year and shall be submitted to the Commission before 1 July of the following year.

2. The Commission shall decide on aid after consulting the Committee referred to in Article 12.

3. Detailed rules for the application of this Article shall be adopted, as required, in accordance with the procedure laid down in Article 12.

Article 11

Articles 8 and 9 of Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy⁽¹⁾, as last amended by Regulation (EEC) No 2048/88⁽²⁾, shall apply *mutatis mutandis*.

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 13.

⁽²⁾ OJ No L 185, 15. 7. 1988, p. 1.

Article 12

1. Where the procedure laid down in this Article is to be followed, the matter shall be referred without delay by the chairman, either on his own initiative or at the request of a Member State, to the Standing Veterinary Committee, hereinafter called 'the committee', set up by Council Decision 68/361/EEC⁽³⁾.

2. The representative of the Commission shall submit to the committee a draft of the measures to be taken. The committee shall deliver its opinion on the draft within a time limit which the chairman may lay down according to the urgency of the matter. The opinion shall be delivered by the majority laid down in Article 148 (2) of the Treaty in the case of Decisions which the Council is required to adopt on a proposal from the Commission. The votes of the representatives of the Member States within the committee shall be weighted in the manner set out in that Article. The chairman shall not vote.

3. The Commission shall adopt the measures envisaged if they are in accordance with the opinion of the committee.

4. If the measures envisaged are not in accordance with the opinion of the committee, or if no opinion is delivered, the Commission shall, without delay, submit to the Council a proposal relating to the measures to be taken. The Council shall act by a qualified majority.

If, on expiry of a period of three months from the date of referral to the Council, the Council has not acted, the proposed measures shall be adopted by the Commission.

Article 13

1. The Commission shall make regular on the spot checks, in collaboration with the national authorities, to verify from a veterinary viewpoint whether the plans are being applied.

Member States shall take the necessary steps to facilitate these checks and shall in particular ensure that the experts are supplied at their request with all information and documentation needed for assessing the execution of the plans.

The general provisions for implementing this Article, especially as regards the frequency and method of carrying out the checks referred to in the first subparagraph, the rules governing the appointment of official veterinarians and the procedure which they must follow when drawing up their report, shall be laid down according to the procedure set out in Article 12.

The Commission shall regularly inform the Member States within the committee of developments, in the light of the information provided by the Member States' authorities, which shall submit a progress report to the Commission together with the applications for payment and any reports from experts who, acting on behalf of the Community, have made on the spot visits.

⁽³⁾ OJ No L 255, 18. 10. 1968, p. 23.

2. Should the eradication plan require amendment in the course of its execution, a new decision approving it shall be taken in accordance with the procedure laid down in Article 12.

Article 14

Before the end of the three-year period provided for in Article 8, the Commission shall submit to the Council a report on the application of the plans provided for in this Decision, together, if appropriate, with proposals for further harmonizing national prophylactic measures on

which the Council will take a decision by a qualified majority.

Article 15

This Decision is addressed to the Member States.

Done at Brussels, 21 May 1990.

For the Council

The President

M. O'KENNEDY

ANNEX

Official brucellosis (*Brucella melitensis*) test

1. *Rose Bengal Test*

The Rose Bengal test may be used for screening ovine or caprine holdings in order to establish the status of holdings as officially brucellosis-free or brucellosis-free.

2. *Complement-fixation test*

(a) The complement-fixation test must be used for all individual animal tests.

(b) The complement-fixation test may be used for ovine or caprine holdings in order to establish the status of holdings as officially brucellosis-free or brucellosis-free.

(c) Serum containing 20 or more CFT units/ml must be regarded as positive.

3. The antigen used must be approved by the national laboratory and must be standardized against the second international standard *anti-brucella abortus* serum.

4. The working serum must be standardized with standard serum and conform to the second international standard *anti-brucella abortus* serum prepared by the Central Veterinary Laboratory, Weybridge, Surrey, United Kingdom.

COUNCIL ESTIMATE

of 21 May 1990

concerning young male bovine animals weighing 300 kilograms or less and intended for fattening for the period 1 January to 31 December 1990

(90/243/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

II

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EEC) No 571/89 ⁽²⁾, and in particular Article 13 thereof,

Having regard to the proposal from the Commission,

HAS ADOPTED THIS ESTIMATE :

Introduction

Article 13 (2) of Regulation (EEC) No 805/68 provides that the Council shall, each year before 1 December, draw up, on a proposal from the Commission and by qualified majority vote, an estimate of the young male bovine animals which may be imported under the system laid down under the said Article. This estimate is to take account both of the forecast supplies of young bovine animals intended for fattening within the Community and of Community livestock farmers' requirements. In addition, pursuant to Article 31, the aforementioned Regulation must be applied in such a way that appropriate account is taken, at the same time, of the objectives set out in Articles 39 and 110 of the Treaty.

I

Community supplies of young bovine animals

This estimate covers the period 1 January to 31 December 1990. It has been prepared in the light of information available to the Commission and on the basis of the foreseeable trend for 1990 of supplies of and requirements for young male bovine animals intended for fattening in the Community.

In view of the number of breeding females (cows and heifers) anticipated for 1990 (about 35 350 000), some 28 500 000 births of calves are expected during that year. Production over the year of male calves would therefore be about 14 250 000 head.

Community requirements

The number of slaughterings of male calves envisaged for 1990 on the basis of data collected from Member States, should be about 3 800 000 head.

The number of male animals intended for slaughter as oxen, fattened young bulls and bulls for breeding should be about 10 648 000 head.

In the light of information provided by Member States and of the above estimates, it is expected that in 1990 the requirements of Community livestock farmers as regards young male bovine animals for fattening will be 10 648 000 head.

It follows from the foregoing that the Community overall requirements in male calves will be 14 448 000 head in 1990.

These requirements will be only partly satisfied by Community supplies of these animals, which amount to about 14 250 000 head.

The foreseeable Community shortfall for 1990 in male calves for fattening can therefore be estimated as 198 000 head.

Conclusion

The estimate for young male bovine animals weighing 300 kilograms or less intended for fattening which may be imported in 1990 under the arrangements provided for in Article 13 of Regulation (EEC) No 805/68 is fixed at 198 000 head.

Done at Brussels, 21 May 1990.

*For the Council**The President*

M. O'KENNEDY

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 61, 4. 3. 1989, p. 43.

COUNCIL ESTIMATE
of 21 May 1990
concerning beef and veal intended for the processing industry for the period
1 January to 31 December 1990

(90/244/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

I

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽¹⁾, as last amended by Regulation (EEC) No 571/89⁽²⁾, and in particular Article 14 (2) thereof,

Having regard to the proposal from the Commission,

HAS ADOPTED THIS ESTIMATE:

Introduction

Article 14 (2) of Regulation (EEC) No 805/68 provides that each year before 1 December the Council shall draw up an estimate of meat which may be imported under the arrangements laid down in that Article.

This estimate shall cover the period from 1 January to 31 December 1990. It has been prepared in the light of information available to the Commission and on the basis of current forecasts. It is derived from estimates of demand in the industry and of Community supplies of meats of qualities and types of cut suitable for industrial use, hereinafter referred to as 'meat for processing'.

Demand in the industry for meat for processing has been assessed by reference to the quantities of fresh or frozen meat used each year.

Community supplies of meat for processing have been estimated by reference to the quantities of fresh meat normally used for this purpose.

In adopting this estimate, the Council has taken account of the fact that, in accordance with Article 31 of Regulation (EEC) No 805/68, that Regulation must be applied in such a way that appropriate account is taken, at the same time, of the objectives set out in Articles 39 and 110 of the Treaty.

Supplies of meat for processing

According to information supplied to the Commission by the Member States in August 1989, Community supplies of home-produced fresh meat for processing for 1990 can be estimated at 960 000 tonnes of meat on the bone.

It is also estimated that at the end of 1989, the Community will hold a public stock of meat as a result of intervention buying. The quantity of this meat satisfying the requirements of meat for processing can be estimated at 66 000 tonnes of meat on the bone.

It can also be considered that at the end of 1989 there will be a stock of meat held in cold stores as a result of the granting of private storage aid for the storage of carcasses, half-carcasses, hindquarters and forequarters of adult bovine animals. The quantity of this meat satisfying the requirements of meat for processing can be estimated at 10 000 tonnes of meat on the bone.

With effect from 1 January 1990 the Community has opened a tariff quota for 53 000 tonnes of frozen meat, which corresponds to 68 900 tonnes of meat on the bone.

Experience indicates that, under this quota, 9 000 tonnes of frozen meat on the bone will be imported for processing in 1990.

For 1990, the quantity of meat originating in Botswana, Kenya, Madagascar, Swaziland and Zimbabwe which may be imported into the Community and which satisfies the requirements for processing may be estimated at 5 000 tonnes of meat on the bone.

For 1990 the total available supplies intended for processing will thus be as follows:

	<i>(tonnes)</i>
— fresh meat :	960 000
— frozen meat taken over at intervention :	66 000
— frozen meat stored under the system of private storage aid :	10 000
— frozen meat imported under GATT quota	9 000
— frozen meat imported under ACP Convention arrangements :	5 000
Total	1 050 000

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 61, 4. 3. 1989, p. 43.

II

Industrial demand for meat for processing

According to information supplied to the Commission by the Member States in August 1989, Community demand for meat for processing in 1990 can be estimated at 1 100 000 tonnes of meat on the bone.

This figure includes quantities required for the preparation of preserved foods as specified in Article 14 (1) (a) of Regulation (EEC) No 805/68. This latter quantity is estimated at 215 000 tonnes.

Conclusions

On the basis of the foregoing, demand can only be partially met by Community supplies of such meat.

The forecast Community deficit of beef for the processing industry in 1990 is approximately 50 000 tonnes.

It has been decided to apportion this tonnage, as required by Article 14 (1) of the said Regulation, so that:

- 25 000 tonnes of meat intended for the manufacture of preserved food which does not contain characteristic components other than beef and jelly shall qualify for the total suspension of the levy, and
- 25 000 tonnes of meat intended for the processing industry for the manufacture of products other than the preserved foods referred to in the first indent shall qualify for the total or partial suspension of the levy.

Done at Brussels, 21 May 1990.

For the Council

The President

M. O'KENNEDY

CORRIGENDA**Corrigendum to Commission Regulation (EEC) No 1263/90 of 14 May 1990 laying down detailed rules for the granting of private storage aid for long-keeping cheeses**

(Official Journal of the European Communities No L 124 of 15 May 1990)

On page 30, Article 6 (6):

- delete point (a);
 - points (b) and (c) become points (a) and (b) respectively.
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